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A HISTORY

OF

ENGLAND

FROM THE FIRST

INVASION BY THE ROMANS

BY

JOHN LINGARD, D.D.

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CONTENTS

OF

THE TENTH VOLUME.

CHAP. I.

CHARLES I.

THE KING IN SCOTLAND—DISCONTENT IN ENGLAND—IN IRELAND—OPPRESSIVE CONDUCT OF WENTWORTH—IN SCOTLAND—NEW SERVICE BOOK—COVENANT—RIOTS—KING MARCHES AGAINST THE COVENANTERS—PACIFICATION OF BERWICK—SCOTTISH AND ENGLISH PARLIAMENTS—A SECOND WAR—SCOTS OBTAIN POSSESSION OF NORTHUMBERLAND AND DURHAM—GREAT COUNCIL AT YORK—TREATY TRANSFERRED TO LONDON.

	PAGE		PAGE
Transactions in Scotland....	1	Wentworth's apology	48
Coronation in Edinburgh.....	2	Scotland.....	50
Scottish parliament	3	Trial of Balmerino	ib.
Conduct of Laud	4	New service book.....	53
Envoy from the pope.....	6	It is opposed	54
Trials in the star-chamber...	9	Tumult	56
Trial of the bishop of Lincoln	11	Establisment of the "Tables"	59
Of Prynne.....	13	Petitions.....	60
Of Bastwick and Burton	16	A new covenant	61
Their punishment	18	Hamilton commissioner	63
High commission court.....	22	Concessions refused	64
New treasurer.....	24	Assembly at Glasgow	65
Encroachments on the forests.	25	Preparations for war	68
Ship money	27	Backwardness of the English.	71
Hampden	31	Scots begin hostilities	72
Proceedings in Ireland.....	34	The armies meet	74
Wentworth lord deputy.....	37	Pacification of Berwick.....	75
Irish parliament.....	39	Assembly at Edinburgh	78
Convocation.....	40	Parliament	80
Irish court of wards.....	41	Destruction of a Spanish fleet	81
New plantations projected....	44	Irish parliament	83
Prosecutions.....	46	English parliament.....	84
Trial of Mountnorris	47	Dissolution	86

21254

	PAGE
Riots	88
Convocation	89
Scottish parliament	90
Warlike preparations	91
Scots pass the Tyne	93
Negociation	94
Great council of peers	96
Partial agreement with the Scots	97
Treaty transferred to London	98

CHAP. II.

PROCEEDINGS IN PARLIAMENT—IMPEACHMENTS OF STRAFFORD AND LAUD—VOTE AGAINST THE LEGISLATIVE AND JUDICIAL POWERS OF BISHOPS—TRIAL AND EXECUTION OF STRAFFORD—TRIENNIAL PARLIAMENTS—THE KING HOLDS A PARLIAMENT IN SCOTLAND—REBELLION IN IRELAND—REMONSTRANCE OF THE COMMONS—PROTEST AND IMPEACHMENT OF TWELVE BISHOPS—KING IMPEACHES SIX MEMBERS—BISHOPS DEPRIVED OF SEATS IN PARLIAMENT—PROGRESS OF THE REBELLION IN IRELAND—KING RETIRES TO YORK—HE IS REFUSED ENTRANCE INTO HULL—THE HOUSES LEVY AN ARMY—CHARLES SETS UP HIS STANDARD AT NOTTINGHAM.

	PAGE
Opening of parliament	100
State of parties	101
Proceedings of the commons	103
Impeachments	107
Of Strafford	ib.
Windebank	108
Laud	109
Finch	110
Treaty with the Scots	ib.
Bill against bishops	113
Vote of the commons	114
Trial of Strafford	117
Charges made against him	120
The lords favourable to him	121
The commons pass a bill of attainder	124
Strafford's defence	ib.
The king's efforts to save him	127
Protestation of the houses	130
Bill passed	131
Strafford's letter to the king	ib.
Distress of Charles	133
He yields	ib.
Death of Strafford	134
Strafford's guilt	136
More impeachments	138
Queen's terrors	ib.
Jealousy between the houses	140
King in Scotland	143
The incident	145
Irish rebellion	147
Its origin	150
Secret intrigue by the king	152
Plot discovered	153
Rebels in Ulster	154
Their apology	156
Charles returns to London	ib.
The remonstrance	157
Proceedings of parliament	159
Commitment of twelve bishops	162
Six members impeached by the king	163
Triumph of his opponents	166
Intrigues in court and the two houses	167
Dispute about command of forces	169
King retires to York	172
Progress of rebellion in Ireland	173
Rising of the pale	174

	PAGE.		PAGE
Their vindication	175	Their demands	183
Cruelties.....	177	Commencement of hostilities.....	186
Measures of relief	178	King raises his standard....	187
Fruitless attempt on Hull....	180	Reflections	188
Both parties raise men	182		

CHAP. III.

BATTLE OF EDGE HILL—TREATY AT OXFORD—SOLEMN VOW AND COVENANT—BATTLE OF NEWBURY—SOLEMN LEAGUE AND COVENANT BETWEEN THE ENGLISH AND SCOTTISH PARLIAMENTS—CESSATION OF WAR IN IRELAND—ROYALIST PARLIAMENT AT OXFORD—PROPOSITIONS OF PEACE—BATTLE OF MARSTON MOOR—THE ARMY OF ESSEX CAPITULATES IN THE WEST—SELF DENYING ORDINANCE—SYNOD OF DIVINES—DIRECTORY FOR PUBLIC WORSHIP—TRIAL OF ARCHBISHOP LAUD—BILL OF ATTAINDER—HIS EXECUTION.

	PAGE		PAGE
Treaty proposed and refused	191	Solemn league and covenant	225
Royalists.....	192	Scots prepare for war.....	227
Parliamentarians	195	Covenant taken in England	229
State of the two armies	196	Charles seeks aid from Ireland.....	230
The king's protestation	197	Federative assembly of the catholics.....	231
Battle of Edge Hill.....	199	Their apologies and remonstrance.....	233
Action at Brentford	201	Cessation concluded	234
King retires to Oxford.....	202	A French envoy.....	236
State of the kingdom.....	203	Royalist parliament at Oxford	238
Treaty at Oxford.....	204	Propositions of peace.....	240
Intrigues during the treaty..	206	Methods of raising money..	243
Return of the queen	208	Battle of Nantwich.....	247
Fall of Reading	209	Scottish army enters England	248
Waller's plot	210	Marches and counter marches	249
Solemn vow and covenant..	211	Rupert sent to relieve York	251
Death of Hampden	213	Battle of Marston Moor....	252
Actions of sir William Waller.....	214	Surrender of Newcastle	253
The lords propose a peace..	216	Essex marches into the west	255
Are opposed by the commons	217	His army capitulates.....	256
New preparations for war...	219	Third battle of Newbury....	257
Battle of Newbury.....	220	Rise of Cromwell.....	259
New great seal	222	His quarrel with Manchester	261
Commissioners sent to Scotland	223		

	PAGE
First self denying ordinance	264
Army new modelled	265
Second self-denying ordinance	266
Ecclesiastical occurrences	267
Persecution of the catholics	ib.
Of the episcopalians	270
Synod of divines	272
Presbyterians and independents	273
Demand of toleration	274
New directory	275
Trial of archbishop Laud	278
His defence	279
Bill of attainder	281
Consent of the lords	282
Execution	284

CHAP. IV.

TREATY AT UXBRIDGE—VICTORIES OF MONTROSE IN SCOTLAND—DEFEAT OF THE KING AT NASEBY—SURRENDER OF BRISTOL—CHARLES SHUT UP WITHIN OXFORD—MISSION OF GLAMORGAN TO IRELAND—HE IS DISAVOWED BY CHARLES, BUT CONCLUDES A PEACE WITH THE IRISH—THE KING INTRIGUES WITH THE PARLIAMENT, THE SCOTS, AND THE INDEPENDENTS—HE ESCAPES TO THE SCOTTISH ARMY—REFUSES THE CONCESSIONS REQUIRED—IS DELIVERED UP BY THE SCOTS.

	PAGE
Dissensions at court	287
Proposal of treaty	291
Negociation at Uxbridge	292
Demands of Irish catholics	294
Victories of Montrose in Scotland	297
State of the two parties in England	301
The army after the new model	303
Battle of Naseby	305
Its consequences	309
Victory of Montrose at Kilsyth	313
Surrender of Bristol	314
Defeat of royalists at Chester	315
Of lord Digby at Sherburn	316
The king retires to Oxford	318
His intrigues with the Irish	319
Mission of Glamorgan	319
Who concludes a secret treaty	321
It is discovered	323
Party violence among the parliamentarians	325
Charles attempts to negociate with them	327
He disavows Glamorgan	330
Who yet concludes a peace in Ireland	331
King proposes a personal treaty	334
Montrevil negociates with the Scots	335
Ashburnham with the independents	337
Charles escapes to the Scots	338
The royalists retire from the contest	340

	PAGE
King disputes with Henderson	341
Motives of his conduct	343
He again demands a personal conference	345
Negociation between the parliament and the Scots	ib.
Expedients proposed by the king	348
Scots deliver him up to the parliament	349
He still expects aid from Ireland	353
But is disappointed	354
Religious disputes	356
Discontent of the independents	357
And of the presbyterians	358

CHAP. V.

OPPOSITE PROJECTS OF THE PRESBYTERIANS AND INDEPENDENTS—THE KING IS BROUGHT FROM HOLMBY TO THE ARMY—INDEPENDENTS DRIVEN FROM PARLIAMENT—RESTORED BY THE ARMY—ORIGIN OF THE LEVELLERS—KING ESCAPES FROM HAMPTON COURT AND IS SECURED IN THE ISLE OF WIGHT—MUTINY IN THE ARMY—PUBLIC OPINION IN FAVOUR OF THE KING—SCOTS ARM IN HIS DEFENCE—THE ROYALISTS RENEW THE WAR—THE PRESBYTERIANS ASSUME THE ASCENDENCY—DEFEAT OF THE SCOTS—SUPPRESSION OF THE ROYALISTS—TREATY OF NEWPORT—THE KING IS AGAIN BROUGHT TO THE ARMY—THE HOUSE OF COMMONS IS PURIFIED—THE KING'S TRIAL—JUDGMENT—AND EXECUTION—REFLECTIONS.

	PAGE
The king at Holmby	363
Character of Fairfax	365
Opposition of the independents	368
Demands of the army	370
Refusal of parliament	372
The army carries off the king	374
Marches towards London	377
And treats the king with indulgence	380
The independents are driven from parliament	382
Charles refuses the offers of the army	384
Which marches to London	386
Enters the city	387
And gives the law to the parliament	389
The king listens to the counsels of the officers	390
And intrigues against them	392
Rise of the levellers	393
The king's escape	395
He is secured in the Isle of Wight	396
Mutiny suppressed	398
King rejects four bills	400
Vote of non-addresses	403
King subjected to farther restraint	404
Public opinon in his favour	405
Levellers prevail in the army	406

PAGE

The Scots take up arms for the king 408
Also the English royalists.. 410
Feigned reconciliation of the army and the city 411
Insurrection in Kent..... 412
Presbyterians again superior in parliament 415
Defeat of the Scots..... 416
And of the earl of Holland 418
Surrender of Colchester.... 420
Prince of Wales in the Downs 421
Treaty of Newport..... 422
Plan of new constitution.... 424
Hints of bringing the king to trial..... 425
Petition for that purpose.... 427
King's answer to the parliament..... 428
His parting address to the commissioners 430
He is carried away by the army 431
Commons vote the agreement with the king..... 433

PAGE

The house of commons is purified 434
Cromwell returns from Scotland..... 435
Independents prevail 437
Resolution to proceed against the king 438
Appointment of the high court of justice 439
Hypocrisy of Cromwell 441
Conduct of Fairfax..... 442
King removed from Hurst castle 443
Few persons interest themselves in his favour..... 444
Proceedings at the trial 446
Behaviour of the king.... 447
He proposes a private conference 448
Is condemned..... 449
Lady Fairfax 450
King prepares for death .. 452
Letter from the prince 455
The king is beheaded..... 456

NOTES.....463

HISTORY

OF

ENGLAND.

CHAP. I.

CHARLES I.

THE KING IN SCOTLAND—DISCONTENT IN ENGLAND—IN IRELAND—OPPRESSIVE CONDUCT OF WENTWORTH—IN SCOTLAND—NEW SERVICE BOOK—COVENANT—RIOTS—KING MARCHES AGAINST THE COVENANTERS—PACIFICATION OF BERWICK—SCOTTISH AND ENGLISH PARLIAMENTS—A SECOND WAR—SCOTS OBTAIN POSSESSION OF NORTHUMBERLAND AND DURHAM—GREAT COUNCIL AT YORK—TREATY TRANSFERRED TO LONDON.

CHAP. I.

Transactions in Scotland.

SCOTLAND, at the death of James, enjoyed a state of unprecedented tranquillity; but the restlessness and imprudence of the new king gradually provoked discontent and rebellion. It had been suggested, that he might obtain a permanent supply for his own wants, and at the same time provide a more decent maintenance for the Scottish clergy, if he were to resume the ecclesiastical property, which, at the reformation, had fallen to the crown, and 1626.

CHAP. I.

1628.

during the minority of his father, had been alienated by the prodigality of the regents Murray and Morton. The first attempt failed from the resistance of the possessors; in the second, he proved more successful. The superiorities and jurisdictions of the church lands were surrendered, and a certain rate was fixed, at which the tithes might be redeemed by the heritors, and the feudal emoluments be purchased by the crown. Charles congratulated himself on the result; but the benefit was more than balanced by the disaffection which it created. The many powerful families who thought themselves wronged, did not forget the injury; in a few years they took the most ample revenge.[1]

Coronation in Edinburgh. 1633. June 12.

The king, in imitation of his father, resolved to visit his native country. He was accompanied by a gallant train of English noblemen, and was received by the Scots with the most enthusiastic welcome. At his coronation, which was performed by the archbishop of St. Andrew's, they gave equal demonstrations of joy, though several parts of the ceremony shocked their religious feelings, and the officious interference of Laud wounded their national pride.[2]

June 18.

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[1] Burnet's own Times, i. 20. Large declaration, 1—9. Balfour, ii. 128. 139. 151. 3. 4. Statutes of 1633.

[2] Balfour, ii. 195—199. Rushworth, ii. 181, 182. Clarendon, i. 79.

CHAP. I.

Scottish parliament. June 20.

In a few days Charles opened the Scottish parliament, after the ancient form. A liberal supply was cheerfully voted to the sovereign—but on two points he met with the most vigorous opposition. When it was proposed to confirm the statutes respecting religion, and to vest in the crown the power of regulating the apparel of churchmen, an obstinate stand was made by all the members, who conscientiously objected to the jurisdiction of the bishops. The king sternly commanded them to vote, not to dispute, and pointing to a paper in his hand, exclaimed, "Your names are here! to-"day I shall see who are willing to serve me." The lord register solemnly affirmed, that the majority had given their voices in favour of the bills; the contrary was as strenuously asserted by their opponents. The notion, that the king entertained sentiments favourable to popery, had been maliciously circulated in Scotland: the ceremonies at his coronation, and his policy respecting the church, were deemed confirmatory of the charge, and though he surrendered to the importunity of petitioners most of the money voted by the parliament, his visit served neither to strengthen the attachment, nor to dissipate the distrust of his countrymen.[3]

June 27.

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[3] Balfour, ii. 199—201. Rushworth, ii. 182—187. Burnet's Own Times, i. 22.

CHAP. I.

During the six years which followed his return from Scotland, England appeared to enjoy a calm; but it was a deceitful calm, which frequently precedes a storm. He took no pains to allay, he rather inflamed that feverish irritation, which the illegality of his past conduct had excited in the minds of his subjects. Nor can it be said, in his excuse, that he was ignorant of their dissatisfaction. He saw it, and despised it; believing firmly in the divine right of kings, he doubted not to bear down the force of public opinion, by the mere weight of the royal prerogative.

Conduct of Laud.

He had scarcely time to repose from the fatigue of his journey, when Abbot died, and he gladly seized the opportunity to place Laud on the archiepiscopal throne.[4] The new me-

[4] At this time Laud made the following entries in his diary: "Aug. 4. News came of the lord archbishop of Canterbury's "death. The king resolved presently to give it to me. That very "morning at Greenwich there came one to me seriously, and that "avowed ability to perform it, and offered me to be a cardinal. "I went presently to the king, and acquainted him both with the "thing and the person. Aug. 17. I had a serious offer made me "again to be a cardinal. I was then from court; but so soon as "I came thither, (which was Wednesday Aug. 21,) I acquainted "his majesty with it. But my answer again was, that somewhat "dwelt within me, which would not suffer that till Rome were "other than it is." Much ingenuity has been used to prove from these entries, that Laud had in reality no objection to be a cardinal; that he communicated these offers to the king, in hope of his approval, and refused only on account of the reluctance of Charles to give his assent. Certainly such suspicions are not warranted by the words themselves, and are completely overturned by his answer in the history of his troubles, that the person making the offer had

tropolitan wielded the crosier with a more vigorous grasp than his predecessor. He visited his province, established uniformity of discipline in the cathedral churches, enforced the exact observance of the rubric, and submission to the different injunctions; and, by strictly adhering to the canon which forbad ordination without a title, cut off the supply of non-conforming ministers for public lectures and private chapels. After his example, and by his authority, the churches were repaired and beautified; at his requisition the judges unanimously confirmed the legality of the proceedings in the ecclesiastical courts, and by his advice, the king, in defiance of every obstacle, undertook to restore St. Paul's cathedral to its ancient splendour. In these pursuits there was certainly much commendable in itself, and becoming his station; but the jealousy of the puritans had long ago marked him out as an enemy: the most innocent of his actions were misrepresented to the public, and whatever he attempted, was described as an additional step towards the introduction of popery. A succession of written papers dropped in the streets, or affixed to the walls, or secretly conveyed into his house, warned

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relation to some ambassador; that he acquainted the king because he was compelled to do it by law; and that Charles himself freed him speedily both from the trouble and the danger. Laud's Troubles, 388. Diary, 49.

CHAP. I.

him of the punishment which his apostacy deserved, and which the orthodoxy of his opponents was prepared to inflict.[5]

Envoy from the pope.

I. It served to confirm their suspicions, that at this very time an agent from the papal court was resident in London. The controversies which continued to divide the English catholics, with regard to the lawfulness of the oath enacted in the last reign, and to the expedience of episcopacy for the government of their church, had induced Urban VIII. to appoint a confidential minister, who might collect on the spot accurate information respecting the conduct and views of the two contending parties. For this purpose, he first employed Leander, an English Benedictine monk, and subsequently Panzani, an Italian priest of the

1634. congregation of the Oratory. Panzani was graciously received by the queen, and assured, through secretary Windebank, that he might remain in safety. From his dispatches it appears, that among the most zealous church-

[5] Laud's Diary, 44, 47. These reports and menaces urged the archbishop to prove himself a true protestant by his vigilance against the catholics. In a letter to lord Strafford we are told, that he had lately accused before the council, a schoolmaster and innkeeper at Winchester, for bringing up catholic scholars; that he had procured an order for the calling in and burning of a catholic book of instruction, entitled, An Introduction to a Devout Life; and that Morse, a missionary, who had distinguished himself by his attention to the sick during the contagious fever in St. Giles's, and had, by his charity, induced many to become catholics, had been tried and convicted. Strafford papers, ii. 74.

men, there were some who, alarmed by the encreasing numbers and persevering hostility of the puritans, began to think of a re-union with the see of Rome, as the best safeguard for the church of England. Of this number were Windebank, Goodman, bishop of Gloucester, and Montague, bishop of Chichester. The latter was become an enthusiast in the cause. He conversed thrice with the Italian on the subject, and assured him that the English clergy would not refuse to the pope a supremacy purely spiritual, such as was admitted by the French catholics; that among the prelates, three only, those of Durham, Salisbury, and Exeter, would object; and that Laud, though he was too timid and too cautious to commit himself by any open avowal, was in reality desirous of such an union. Though it was plain that little reliance could be placed on the assurances made by men who had not the courage to communicate their thoughts to each other, much less to sound the disposition of their sovereign, Panzani transmitted the information to his court; and received for answer, that on a subject so delicate and important, it was his duty to hear what was said, but to abstain from giving any pledge on the part of the pontiff; and that, if these overtures should subsequently assume a more tangible shape, the negociation would be entrusted to a minister of higher rank and

CHAP. I.

more approved experience. Panzani now applied himself to the other objects of his mission. Charles, at his solicitation, put an end to the vexations to which the catholics were still subject from the searches wantonly and maliciously made in their houses at the pleasure of the pursuivants; and was induced by the hope of benefiting his nephew, the Palatine, through the mediation of Urban, to consent to the opening of an official intercourse between the two courts, through accredited agents, who should, however, assume no public character, but appear as private individuals. For this purpose Conn, a Scottish clergyman, was sent to England as envoy to the queen, and sir William Hamilton, brother to lord Abercorn, was, with the king's consent, deputed to reside as *her* minister in Rome.[6] He was, however, furnished with secret instructions from Charles, to solicit the good offices of the pope in favour of his nephew; to promote the proposed marriage between the king of Poland and his niece, a daughter of the Palatine; and to obtain the papal approbation of the oath of allegiance, or of some similar disclaimer of the deposing doctrine. In case he succeeded in any of these three points, he was permitted to assure the

[6] It is plain, from the original papers, that in this mission Charles had no other than political objects in view, whatever designs or hopes might be entertained by others. See Clarendon papers, i. 337. 348. 355. 445.

pontiff, that the king would consent to what he had hitherto peremptorily refused, the permanent residence of a catholic bishop in England.[7]

Trials in the star-chamber.

II. The severity of the judgments given in the star-chamber proved another source of public discontent. The reader has seen that this supreme court was established, or at least moulded into a new form in the third year of Henry VII. for the purpose of checking the presumption of those powerful lords, who at a distance from the capital overawed the proceedings, and set at defiance the authority of the ordinary courts of law. It was made to consist of two out of three great officers of state, a spiritual and a temporal lord, members of the privy council, and two of the twelve judges; and was authorized to examine offenders, and to punish them according to the statutes of the realm. When it had fallen almost into desuetude, it was restored in full vigour, and with the most beneficial results, by cardinal Wolsey; and from that period continued through several reigns to grow in importance,

[7] See Memoirs of Gregorio Panzani (131—261.), published by Rev. Jos. Berrington. Of their authenticity there cannot be a doubt. Also Mr. Butler's Historical Memoirs of British Catholics, 3d edition, vol. ii. 310—369. It appears to me plain that Charles had no idea of a re-union between the churches. If Laud cherished such a project, he kept it to himself. Panzani never saw him; nor is there any thing in the correspondence, except the assertion of Montague, to make it appear that the archbishop was favourable to it.

CHAP. I.

perpetually adding to its jurisdiction, and making itself feared by the severity of its judgments.[8] Whatever by legal ingenuity could be tortured into a contempt of the royal authority, might be brought before it: and the solemnity of the proceedings, the rank of the judges, and the manner in which they delivered their opinions, gave it a superiority in the eyes of the public over every other judicial tribunal. But in proportion as it gained in dignity and importance, it lost in reputation. The judges (every privy counsellor was now admitted) were also in many cases the prosecutors: they generally founded their decisions on precedent rather than law; and it was believed that often the wish to humble an adversary, the necessity of supplying the wants of the exchequer, and the hope of purchasing the royal favour, induced them to punish without sufficient proof of guilt, or beyond the real demerit of the offender. Of such conduct one instance has been already mentioned in the fate of Leighton: a few more may be added, which, from their

[8] Sir Thomas Smith, Commonwealth of England, l. iii. c. 3. "It "was a glorious sight on a star-day, when the knights of the garter "appear with the stars on their garments, and the judges in their "scarlet; and in that posture they have sate, sometimes from nine "in the morning till five in the afternoon, before every one had "done speaking their minds in the cause that was before them. And "it was usual for those that came to be auditors at the sentence "given in weighty causes, to be there by three in the morning to "get convenient places and standing." Rushworth, ii. 473.

CHAP. I.

influence on the subsequent events, are deserving of particular notice.

Trial of the bishop of Lincoln.

1°. When bishop Williams resigned the seals, he retired, after an ineffectual attempt to regain the royal favour, to his diocese of Lincoln. There his wealth enabled him to live with princely magnificence, while his resentment led him to indulge occasionally in rash and indecorous expressions. These were carefully conveyed by the sycophants around him to the ear of his great rival Laud, and by Laud communicated with suitable comments to the king.[9] It had been advised by Williams that the puritans should be gained by lenity and indulgence, instead of being alienated by severity and prosecutions; and, as the counsel had been favourably received, he hesitated not to repeat it to two officers of the high commission court. In a few days an information was filed against him in the star-chamber, for publishing tales to the scandal of his majesty's government, and revealing secrets of state contrary to his oath of a privy counsellor. He gave in his answer, and the prosecution was allowed to sleep during four or five years, through the influence of Cottington, who began to oppose

1628.

[9] Those who wish to learn the dishonest artifices by which these two prelates sought to ruin each other in the estimation of the king, may consult Hacket's Life of Williams, comparing it with Heylin's Life of Laud. That Laud dreaded at all times the influence of Williams, is evident from his dreams respecting that prelate, which he has recorded in his Diary, 7. 8. 10. 38. 41. 48.

CHAP. I.

Laud. He had even appeased the king, and directions had been given to draw out his pardon, when on some new provocation the proceedings recommenced,[10] and an attempt having been made to weaken the credit of Pridgeon, a witness for Williams, the bishop or his agents sought to support it by inducing the witnesses against Pridgeon to revoke or amend their depositions. The attorney-general immediately dropped the first information, and substituted a second, charging the prelate with the offence of tampering with the king's witnesses. After

1637. July 11.

a patient hearing of nine days, the court adjudged him to be suspended from the episcopal office, to be imprisoned in the Tower during the royal pleasure, and to pay a fine of £10,000. Laud, who was one of the judges, and was considered by the public as his great enemy, took the opportunity of vindicating his own character. Delivering his judgment, he declared, that he had repeatedly interceded for Williams on his knees, but that the petitions of the bishop for favour were so far from expressing repentance and humility, that they served rather to offend than to appease his sovereign. His enemies, however, were not yet satisfied. The officers who took possession of the bishop's effects, found among his papers two letters from Osbaldeston, a school-

[10] Strafford papers, i. 480. 490. 504. 506. 516.

CHAP. I.

master, informing his patron, in one passage, that "the great Leviathan (Portland, the late "lord treasurer) and the little urchin (archbi-"shop Laud) were in a storm," and, in another, that "there was great jealousy between the "Leviathan and the little meddling hocus-po-"cus." This discovery gave rise to another information against Williams, for having plotted with Osbaldeston to divulge false news, to breed disturbance in the state, and to excite dissension between two great officers of the crown. On the trial it was held, that to conceal a libellous letter respecting a private individual was lawful, but to conceal one respecting a public officer was a high offence, and the judgment of the court was, that the bishop of Lincoln should pay a fine of £5000 to the king, damages to the amount of £3000 to the archbishop, should make his submission, and should suffer imprisonment during pleasure.[11]

1639. Feb. 14.

Of Prynne.

2°. William Prynne was a barrister of Lincoln's inn, a man of a morose and gloomy disposition, deeply imbued with the doctrines of puritanism, and warmly animated against the prevailing vices of the age. He had persuaded himself that the dissolute lives of some

[11] Rushworth, ii. 416—449. 803—817. Howell, iii. 770—824. If we believe only one half of the account of these prosecutions, as recorded by Hacket, we must admit, that to molest the obnoxious prelate, the king and his adviser scrupled not to violate every principle, and even every accustomed form of justice. Hacket, ii. 43—140.

CHAP. I.

young men among his acquaintance originated in the habit of frequenting the theatre; and to warn the public against that great and growing evil—to prove that the nation was rapidly lapsing into paganism, he wrote a ponderous volume of one thousand quarto pages, entitled Histriomastrix. He complained, that within the two last years not less than forty thousand copies of plays had been exposed to sale; that they were printed on better paper than most bibles, and bought up with greater avidity than the choicest sermons; and that the theatres in the capital, those chapels of the devil, had encreased to six, double the number that existed in Rome under that dissolute emperor Nero. The players he represented as the ministers of Satan, and the haunters of plays as running in the broad road to damnation. His attacks were equally directed against the masks at court and the amusements of the common people. Dancing was the devil's profession, and every pace in a dance was a pace nearer hell. Dancing made the ladies of England, shorn and frizzled madams, to lose their modesty; dancing had caused the death of Nero, and had led three *worthy* Romans to put to death the emperor Gallienus. With equal bitterness he inveighed against hunting, maypoles, public festivals, the adorning of houses with green ivy at Christmas, cards, music, and perukes. Neither did the church escape. The silk and satin divines, with their pluralities,

CHAP. I.

their bellowing chaunts in the church, and their ducking and cringing to the altars, were subjected to the severe lash of the satirist. Prynne had long been a marked character; Laud had already summoned him twice before the high commission court, and had twice seen the victim snatched from his grasp by prohibitions from Westminster hall.[12] But this last publication subjected him to the jurisdiction of a more independent court. The prelate hastened to read to the king the passages which appeared to reflect upon him and the queen dancing at court: and Noy, the attorney-general, was ordered to indict Prynne in the star-chamber, as the author of a dangerous and seditious libel. It was in vain that he disclaimed upon oath any disloyal or factious intention,—any design of including the king or queen, or lords, or virtuous females, within the indiscriminate censure of his book; and that he expressed his regret for several passages, couched in language which he acknowledged to be too severe and caustic, and unjustifiable. He was adjudged by the court to be put from the bar, excluded from Lincoln's inn, and degraded at Oxford; to stand in the pillory in Westminster and in Cheapside, to lose an ear in each place, to have his book burnt before his eyes by the common hangman, to pay a fine of £5000,

1632. Feb. 7.

May 7.

May 10.

[12] Canterburies doome, 507. Heylin, 155. 173. 230.

CHAP. I.

and to suffer perpetual imprisonment. So severe a punishment deserved and incurred the reprobation of the public: but when the puritans indulged in invectives against the court by which it was inflicted, they should have recollected the still more barbarous judgment which they had pronounced in parliament a few years before, against Floyd the catholic barrister, for a much more questionable offence.[13]

Of Bastwick and Burton.

3°. But prosecution did not subdue the spirit of Prynne. From his prison, in a tract entitled News from Ipswich, he denounced the apostacy of the prelates; attempted to prove them Luciferian lords, devouring wolves, and execrable traitors; and charged them with a long catalogue of innovations, tending, in opinion, to overthrow the pure doctrine of the gospel, and to introduce the superstitions of popery.[14] He found an able coadjutor in Dr. Bastwick, a fellow prisoner. Bastwick was a physician, who had written a treatise against

[13] Rushworth, ii. 220—241. Howell, iii. 561—586. Whitelock, 18. 22. Heylin, 230. 264. We are told, in a letter to the earl of Strafford, that Prynne immediately after the execution, "got his "ears sowed on, that they might grown again as before to his head." Strafford papers, i. 266.

[14] These innovations were, the forbidding of sermons on the last general fast, the appointing it on Wednesday, to prevent the Wednesday lectures, the omission of a collect, and of the prayer for seasonable weather, and also of the name of the princess Elizabeth, and of her issue, in the prayer for the royal family. Rushworth, iii. App. 119—122.

CHAP. I.

the divine institution of bishops, under the title of "Elenchus papismi et flagellum episcoporum Latialium." It was a fair subject of discussion: but in the opinion of the churchmen, he had treated it more like a libeller than a divine; and in the high commission court he was excommunicated, suspended from the practice of his profession, and condemned to pay, with the cost of the suit, a fine of £1000 to the king, to be imprisoned two years, and to make a recantation. He now wrote another tract, "Apologeticus ad præsules Anglicanos," and followed this up with the "Letanie of John Bastwick, doctor of physic, being now full of devotion, and lying at this instant in Limbo patrum,"—a strange and incoherent rhapsody, intended to expose the "faste and prophanesse of the bishops, and "the fruitlessnesse and impietie of the service books."[15] A third apostle was found in Henry Burton, a clergyman who had been chaplain to the king before his journey to Spain, and who had since been suspended by the high commission court, for two sermons entitled,

1635. Feb. 12.

[15] As a specimen, I transcribe the following passage, not one of the most offensive: "If wee looke upon the lives, actions, and manners of the priests and prelats of our age, and see their pride, faste, impudence, immanity, prophanesse, unmercifullnes, ungodlinesse, &c., one would thinke that hell were broke loose, and that the devils in surplices, in hoods, in copes, in rochets, and in foure square c—t—s upon their heads, were come among us, and had b——t us all: pho! how they stinke!" P. 14.

CHAP. I.

1636 Nov. 5.

"God and the King," preached on the 5th of November in his own church of St. Matthew, in London. In his defence he wrote an apology, calling on all orders of men to resist the innovations of the prelates, whom he stigmatized as "blind watchmen, dumb dogs, ravening wolves, antichristian mushrooms, robbers of souls, limbs of the beast, and the "factors for antichrist."[16]

Their punishment.

It might have been supposed, even by the most orthodox churchman, that the foul and scurrilous language in which these tracts were composed, would prove a sufficient antidote to the poison which they contained. But Laud, as appears from his correspondence with Strafford, had taken for his motto the words "thorough and thorough." He had convinced himself that severity alone would tame the obstinate spirits of his opponents, and he expected to enforce submission by the apprehension of punishment. But his conduct had a very different effect. It encouraged a notion that the books asserted truths which could not

[16] He reproached them with having substituted "*at*" for "*in* the "name of Jesus, every knee shall bow"; with having changed the words "whose religion is rebellion," into "who turn religion into "rebellion"; with the omission of the prayer for the navy on the fast day, with reading the second service at the communion table, with bowing when they entered the church and approached the table, with placing it altar-wise at the upper end of the chancel, and with having forged a new article of religion brought from Rome, that is, the disputed clause in the 21st article. Rush. iii. App. 122—132.

CHAP. I.

be refuted, and it elevated the libellers to the rank of martyrs, whose constancy under their sufferings increased the number of their disciples. At his suggestion, a criminal information was filed in the star-chamber, against Prynne, Bastwick, and Burton, for attempting to bring the government in church and state into disrepute, and to excite sedition among his majesty's subjects. Burton gave in his answer, but as it was of enormous length, and still more provoking than his former works; it was expunged as impertinent, by the advice of the two chief justices. The answers of Prynne and Bastwick were of a similar nature, offering to shew that the prelates invaded the prerogative, despised the scriptures, encouraged popery and profaneness, oppressed loyal subjects, and were the servants of the devil, and the enemies of God and the king, and of every living thing that was good. But to such libels it was impossible to procure the signatures of two counsel, and without that formality, according to the rule of the court, no answer could be received. There was, indeed, an apparent hardship in thus refusing to listen to the defence of the accused; yet their defence, had it been heard, would have been deemed an aggravation of the crime, though it could hardly have added to the severity of the punishment. They were condemned to stand two hours in the pillory, to suffer the amputation

1637. June 14.

CHAP. I.

June 30.

of both ears, to pay severally a fine of £5000 to the king, and to be imprisoned for life.[17] The sentence was executed in the palace yard, and from their pillories the prisoners harangued the multitude of the spectators, who admired their constancy, pitied their sufferings, and, at the abscission of their ears expressed a general disapprobation by groans and hisses. The proceedings of that day excited alarm in the breast of the archbishop: but that alarm, instead of teaching him the impolicy of such cruel exhibitions, only prompted him to employ additional severity. He obtained an order to remove the three sufferers from the vicinity of their friends, and the sympathy of the public; and to confine them separately in the castles of Launceston, Carnarvon, and Lancaster. To his amazement, their departure from London, and the whole progress of their journey, bore the appearance of a triumphal procession. The roads were crowded with friends and spectators,[18] and men contended with each other for the happiness of addressing and entertaining the martyrs. Still the zeal of the archbishop did not relax. He ordered those who had the presumption to perform the duties of hospi-

[17] Howell's State Trials, iii. 711—770.

[18] Laud mentions *thousands*, (Strafford papers, ii. 99.) Ingram, the sub-warden, told the king that there were not less than 100,000 people gathered together to see Burton pass by betwixt Smithfield and two miles beyond Highgate. His wife went along in a coach, having much money thrown to her as she passed. Ibid. 114.

tality to Prynne, on his way through Chester, to be called before the high commission court at York, by which they were condemned to pay fines, some of £500, some of £300, and some of £250, and to make a public acknowledgment of their offence in the cathedral before the congregation, and in the town-hall, before the mayor, aldermen, and citizens of Chester.[19] As for the prisoners, it was deter-

[19] See "a New Discovery of the Prelates' Tyranny in their late "Prosecutions." 1641, p. 91. 97. The great impression made on the public mind by several publications, describing the conduct, and relating the speeches of Prynne, Bastwick, and Burton, at the time of the execution of the sentence, induced the court of star-chamber to publish an order for the better regulation of the press. It forbad, 1°. the importation or sale of books printed beyond the seas, to the scandal of religion or the church, or the government, or of the governors of the church or state, or commonwealth, or of any corporation, or particular person or persons, under the penalty of fine, imprisonment, or other corporal punishment, by order of the court of star-chamber, or o fthe high commission. 2°. The printing of any book whatsoever, unless it were first lawfully licensed, upon pain that the printer should be disabled from exercising the mystery of printing, and receive such other punishment as one of the two courts aforesaid should inflict. 3°. It ordered that books of law should be licensed by one of the chief justices, or the chief baron; books of history and state affairs by one of the secretaries of state; books of heraldry by the earl marshal; books of divinity, philosophy, physic, poetry, and other subjects, by the archbishop, or the bishop of London, or the chancellors or vice chancellors of the universities. All these, however, might appoint other licensers under them. 4°. That every printer should affix his own name, and the name of the author, to every book, ballad, or portraiture, printed by him. 5°. That there should be no more than twenty master printers besides those of his majesty and the universities; that no printer should have more than two presses, or two apprentices, unless he were warden of the company. 6°. That if any other person presumed to print, or work at a press, or compose letters, he should be

CHAP. I.

mined to banish them out of England, but still to detain them in prison. Bastwick was sent Aug. 27. to the isle of Scilly, Burton to the castle of Cornet in Guernsey, and Prynne to that of Mont Orgueil in the island of Jersey.

High commission court.

4. The proceedings in the high commission courts did not produce less discontent than those in the star-chamber. Never were the powers with which they were armed, more vigorously exercised, never were the punishments which they inflicted, fines, imprisonment, and costs of suits, so vexatiously multiplied, as under the present metropolitan. They professed to take cognizance of all public breaches of morality, of all words, writings, or actions, tending to the disparagement either of the religion or of the church established by law: and as in the prosecution of these duties they frequently came into collision with the courts at Westminster, the rivalry between the civil and spiritual jurisdictions, naturally begot a hostile feeling between the church and the bar. The people lived in continual dread of these inquisitorial tribunals: and there existed among them a persuasion, that many of the prosecutions were instituted not through mo-

set in the pillory, be whipped through the city of London, and suffer other discretionary punishment. 7°. That there should be no more than four letter-founders allowed. July 11, 1637. Rushworth, iii. App. 306. A more effectual scheme could not be devised to enslave the press; but whence did this court derive the power to make such a regulation?

tives of morality or religion, but for the mere sake of the fines, which were set apart as a fund towards the repairs of St. Paul's cathedral.[20] In one respect, indeed, the high commission court deserved the praise of impartiality: it visited with equal retribution the offences of the rich and of the poor; but this very circumstance operated to its prejudice. There might be found in every county individuals of rank and influence, who had been compelled to do public penance for incontinency, or some other scandalous vice: and these were taught through revenge, others through fear of similar punishment, to look with an evil eye upon that jurisdiction, which employed itself in humbling their pride, and interfering with their pleasures. The rigour of the archbishop produced an effect contrary to his expectations: and instead of strengthening the prelacy, he surrounded it with a multitude of enemies, ready to join at the first favourable moment, in subverting the church from its very foundations.[21]

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[20] See two commissions for the repairs of St. Paul's, in Bibliotheca Regia, 244—268. April 10, 1632, and Dec. 20, 1634.

[21] See Clarendon (i. 94.) and the history of several prosecutions in this court in Prynne. (Canterburies doom, 93—102.) One of them I shall notice on account of its singularity. The viscountess Purbeck, with whom the reader is already acquainted, had been convicted of adultery with sir Robert Howard, and adjudged to do penance barefoot, and in a sheet, in the Savoy church. She, however, contrived to escape in a man's dress, joined her paramour at his

CHAP. I.

New treasurer.

1635. Mar. 14.

III. In the council no man more fearlessly opposed the policy of Laud than the earl of Portland, lord treasurer. In 1635 his death freed the archbishop from a most formidable adversary; the treasury was put into commission; and Laud himself took his place at the head of the board. With his characteristic impetuosity he plunged into an ocean of business, with the nature of which he was unacquainted. He soon became the unsuspecting tool of designing men, of contractors, who offered to him projects for the improvement of the revenue, while they sought nothing in reality but their own interest; and he found himself for months together involved in daily quarrels with his colleagues, particularly with lord Cottington, the chancellor of the exchequer. At the expiration of the year, he ad-

1636. Mar. 6.

house in the country, lived with him some years, and bore him several children. In 1635, both ventured to return to Westminster. The king mentioned the fact to Laud, who apprehended them, confined the knight in the fleet, and sent the lady to the Gatehouse, with an order that she should perform her penance the next Sunday. Howard, by a friend, corrupted the fidelity of the warden; lady Purbeck escaped to Guernsey, and thence to France, and the high commission court condemned sir Robert to close confinement till he should produce the fugitive. Three months later he was liberated on his bond of £2000, never more to admit her into his presence, and of £1500 on his own security, and that of his brothers, for his appearance whenever he should be called upon. In the long parliament the lords gave him £1000 damages, £500 from the archbishop, and £250 from Martin and Lambe, the judges of the court. See the Strafford papers, i. 390. 423. 426. 434. 447. Lords' Journals, 113. 117. Laud's Troubles, 146.

vised the king to dissolve the commission, and to give the white staff to his former schoolfellow, Dr. Juxon, for whom he had lately obtained the bishopric of London. The appointment excited general surprise: its object is disclosed by the remark of Laud in his diary; "Now if the church will not hold up themselves under God, I can do no more." Juxon, however, though he entered upon office under unfavourable circumstances, though he was not formed by nature or education to enforce illegal measures, or to buffet with the turbulence of the times, executed his trust with such integrity and forbearance, that he incurred a smaller degree of odium than any other member of the administration. When they were respectively censured by the long parliament, he passed through the ordeal without a stain; and carried with him from office the respect of the very men who suppressed both the order to which he belonged in the church, and the party with which he was connected in the state.[22]

Encroachments on the forests.

One of the great discoveries made by the commissioners of the treasury, regarded the royal forests and chaces. These, which were known to have been of enormous extent in the time of the Norman kings, had in the lapse of

[22] Clarendon, i, 98, 99. Laud's Diary, 51. 53. Strafford papers, i. 431. 438. 448, 449. 479. "We begin to live here in the church "triumphant; and there wants but one more to keep the king's "conscience to make up a triumvirate." Ibid. 522.

CHAP. I.

five centuries been considerably reduced; nor was it an easy matter to ascertain whether the lands and rights now claimed by different individuals, were originally derived from unauthorized encroachments, or from the grants of the sovereign. The commission took advantage of the uncertainty, and the earl of Holland accepted the office of chief justice in eyre south of the Trent. With the aid of several judges as assistants, he held his court successively in the different counties: inquiries were made into the original boundaries of the forests: and the landholders were summoned to prove their titles, or otherwise to answer for their encroachments. The most alarming reports prevailed, and it was believed that the greater portion of every shire in England, with the exception of Kent, Surrey, and Sussex, would be claimed as belonging to the king. Holland's progress was stopped by the troubles which followed, but he had previously brought immense sums into the treasury by the fines which he levied, or the compositions which he extorted from the numerous individuals, who were adjudged to have trespassed on the lands or rights of the crown.[23]

1635. April 7.

[23] Ibid. i. 410. 413. 435. 463. 467. "My lord of Salisbury was "fined £20,000; the earl of Westmoreland £19,000; sir Christo- "pher Hatton £12,000; my lord Newport £3000; sir Lewis Watson "£4000; sir Robert Bannister £3000, and many others smaller "sums," for encroachments on the forest of Rockingham alone. Ibid. ii. 117.

CHAP. I.

Ship money.

This, though an enormous abuse, affected individuals only; there was another grievance which soon extended itself over the whole kingdom. Noy, after his defection from the country party, retained that morosity of disposition, that apparent independence of character, by which he had always been distinguished. But he was easily led by flattery, and the praises given to his learning and ingenuity by the ministers stimulated him to the discovery of a new and most productive source of income. He had found among the records in the Tower, not only writs compelling the ports, on certain occasions, to provide ships for the use of the king, but others, obliging their neighbours of the maritime counties, to contribute to the expense. Hence he devised a plan, by which a powerful fleet might be procured without any additional charge to the revenue. It was a time when the right of the English crown to the dominion of the narrow seas was disputed;[24] the English fisheries were annually invaded by the Dutch and French mariners; unlawful captures were made by the cruisers of the different powers at war with each other, and the Turkish corsairs, in occasional descents, carried off slaves from the

[24] "The purpose and main work of the fleet is to recover the do- "minium maris." Strafford papers, i. 416.

CHAP. I.

coast of Ireland.[25] To repel such aggressions, served as a pretext; but there was another and secret object, for the accomplishment of which Charles required a numerous fleet. He was engaged in a new treaty with the king of Spain, who offered to procure the restoration of the Palatinate, on condition that Charles would previously aid him by sea, against the United Provinces, until they should consent

1634. Oct. 20.

to a reasonable peace.[26] With this view writs were issued to London, and the different ports, ordering them to supply a certain number of ships of a specified tonnage, sufficiently armed and manned, to rendezvous at Portsmouth on the first of March of the following year, and to serve during six months, under an admiral

Aug. 9.

to be appointed by the king.[27] Noy, indeed, died before the writs were issued; but the experiment succeeded: the imprisonment of those who refused to pay their share of the expense, enforced obedience; and the council resolved to extend the measure from the maritime towns to the whole kingdom. Writs were directed to the sheriffs, informing each

[25] "The pillage the Turks have done upon the coast is most insuf-
"ferable; and to have our subjects ravished from us, and at after to
"be from Rochelle driven over land in chains to Marseilles, all this
"under the sun, is most infamous usage in a christian king." Ibid. ii. 25. also i. 68.

[26] Clarendon papers, i. 75. 83. 105. 106. 109. 125. 214. 231.

[27] Rushworth, ii. 257.

that his county was assessed at a certain number of ships towards the fleet for the ensuing year; that the charge was estimated at a certain sum, and that he was required to levy that sum on the inhabitants, in the same manner as the subsidies had been usually raised. By this contrivance, the king obtained a yearly supply of £218,500 and it should be observed, that he carefully devoted it to the purpose for which it was demanded; a fleet of more than sixty sail annually swept the narrow seas, and the admirals, first the earl of Lindsey, afterwards the earl of Northumberland, received orders to sink every foreign ship which refused to salute the English flag.[28]

He was, however, aware that though he obtained the money, his right to levy it was denied by many—was questioned by most, of his subjects. On this account, it became of importance to have the legality of the tax established by the decisions of the courts of law. Sir Robert Heath, the lord chief justice of the king's bench, was removed, and in his place was substituted sir John Finch, late speaker of the house of commons, a judge of inferior learning, but more courtly principles. Finch canvassed his brethren for votes; he visited each in private, and through his solici-

[28] Rushworth, ii. 257. 259. 335. 343. Strafford papers, 337. 430. 435. 437. 463. 468.

CHAP. I.

tations he obtained an unanimous resolution, that "as, where the benefit redounded to the "ports and maritime parts, the charge was, "according to the precedent of former times, "lawfully laid upon them; so, by parity of "reason, where the good and safety of the "kingdom in general is concerned, the charge "ought to be borne by the whole realm."[29] This, however, was satisfactory, only in as much as it laid a foundation for future proceedings. In three months, two other questions were proposed to the judges, "1°. whether in "cases of danger to the good and safety of "the kingdom in general, the king could not "impose ship money for its defence and safe-"guard, and by law compel payment from "those who refused: 2°. whether he were not "the sole judge both of the danger and when "and how it was to be prevented." They assembled in the hall of serjeants' inn; ten decided in favour of the prerogative; and Crook and Hutton, though they dissented from their brethren, subscribed their names on the principle that judgment of the majority was that of the whole body.[30]

1635. Nov.

1636. Feb. 12.

By most of the judges it was supposed, that this opinion had been required for the private satisfaction of the royal conscience. To their

[29] Howell's State Trials, iii. 1204.

[30] Rushworth, ii. 352—358. Biblioth. Regia, 246—250.

CHAP. I.

astonishment the lord keeper read it to the public in the star-chamber; it was ordered to be enrolled in all the courts at Westminster; and they themselves received instructions to repeat and explain it at the assizes during their circuits. The council was anxious to make it universally known; and anticipated from its publication the most beneficial results. "Since it is lawful," observes lord Strafford, "for the king to impose a tax towards the "equipment of the navy, it must be equally "so for the levy of an army: and the same "reason which authorizes him to levy an "army to resist, will authorize him to carry "that army abroad, that he may prevent in-"vasion. Moreover, what is law in England, "is law also in Scotland and Ireland. This "decision of the judges will therefore make "the king absolute at home, and formidable "abroad. Let him only abstain from war a "few years, that he may habituate his subjects "to the payment of this tax, and in the end "he will find himself more powerful and re-"respected than any of his predecessors."[31] Feb. 14.

But there still existed a man who ventured to dispute the pretended right of the crown. This was the celebrated John Hampden, a gentleman of Buckinghamshire, one so quiet, so courteous, so submissive, that he seemed Hampden.

[31] Strafford papers, ii. 61, 62.

CHAP. I.

the last individual in the kingdom to oppose the opinion of the judges. But under the appearance of humility and diffidence, he veiled a correct judgment, invincible spirit, and the most consummate address; and while he professed to seek nothing more than the solemn judgment of the courts of law, his real object was to awaken the people from their apathy, by the public discussion of a question which so nearly concerned their rights and liberties. Hampden had refused to pay his assessment of twenty shillings; the barons of the exchequer called the other judges to their aid, and the case was solemnly discussed before them during eleven days. In favour of the crown

1637. Nov. 6.

were adduced, 1°. the practice of the Anglo-Saxon kings, and the annual tax of danegelt towards the support of the navy: 2°. a multitude of precedents, proving that former monarchs had pressed ships into their service, and compelled the maritime counties to equip them: 3°. the reasonableness of the claim: for unless the king possessed, in cases of danger, the right of calling on his subjects for aid, the country might receive incalculable injury before a parliament could be assembled. On the other part it was contended that no argument could be founded on the imperfect hints in our ancient writers, respecting the danegelt, or the naval armaments of the Anglo-Saxon kings: 2°. that out of the multitude of precedents ad-

duced, not one bore any resemblance to the present writs, which first ordered the inhabitants of the inland counties to fit out ships, and then to pay money in lieu of those ships: 3°. that no urgent necessity could be pleaded: for the writs had been issued six months before the ships were wanted, and consequently there was sufficient time in the interval to assemble and consult the parliament: 4°. that these writs were in opposition both to the statutes, and the petition of right, which provided that no tax should be levied on the subject without the consent of parliament: nor was it a valid objection, that the king could still levy an aid on the knighthood of his son and the marriage of his eldest daughter, for these cases were expressly excepted in magna charta, and virtually in the succeeding statutes. The judges took three months to deliberate. They gave their opinions in order, and at considerable length: seven pronounced in favour of the prerogative; five in favour of Hampden; but of these, two only, Hutton and Crook, denied the right claimed by the crown; the others, while they acknowledged its existence, availed themselves of some technical informality, to decide against its exercise in the present instance.[32]

The termination of this great trial, which had so long kept the nation in suspense, was hailed

[32] Rush. 480—600. Howell's State Trials, iii. 826—1254.

CHAP. I.

as an important victory by the court: but it was a victory deemed unjust by the people, and ruinous in its consequences to the king. The reasoning in favour of the prerogative was universally judged weak and inconclusive; and men who had paid cheerfully, while they conceived the claim might be good in law, parted with their money reluctantly, after they had persuaded themselves that it was illegal. The authority of the judges had little influence: the merit of their determination rested on their arguments; and the weakness of these induced men to believe that they had pronounced according to the dictates of interest rather than of conscience.[33]

Proceedings in Ireland.

But Charles was not satisfied with sowing the seeds of disaffection in England; the same arbitrary sway, the same disregard of the royal word, the same violation of private rights, marked his government of the people of Ireland. Fearing that the expedition against Cadiz might provoke the Spaniards to make a descent on the island, he had ordered the Irish army to be increased to the number of 5,000 foot and 500 horse. To raise the men presented no difficulty; but to provide for their support was a problem which lord Falkland, the deputy, knew not how to solve. He called together the principal proprietors; they consented to offer the

[33] Clarendon, i. 69.

king a large sum of money in return for certain concessions; and their delegates proceeded to London to arrange with the English council the particulars of the contract. A report was immediately spread that they had been instructed to solicit certain indulgences in favour of the catholic recusants, who formed two-thirds of the meeting. The very sound of the word "indulgence" alarmed the zeal of Usher, archbishop of Armagh; he called to him eleven other prelates; and the declaration of the synod was solemnly promulgated before the chief governor, in Christ church, Dublin, by Downham, bishop of Derry. 1°. That to permit the free exercise of the catholic worship would be a grievous sin, because it would make the government a party not only to the superstition, idolatry, and heresy of that worship, but also to the perdition of the seduced people, who would perish in the deluge of catholic apostacy; 2°. that to grant such toleration for the sake of money to be contributed by the recusants, was to set religion to sale, and with it the souls of the people whom Christ had redeemed with his blood.[34] This doctrine was undoubtedly in unison with the intolerant maxims of the time: but Charles did not balance between his orthodoxy and his interest; he gladly accepted the offer of £120,000, a

[34] Cyp. Anglii. 206.

CHAP. I.

larger sum than had ever been given to his predecessors, to be paid by equal instalments in the course of three years; and in return he granted, under his own hand, one and fifty graces (so they were termed) by which, in addition to the removal of many minor grievances, it was provided that the recusants should be allowed to practice in the courts of law, and to sue the livery of their lands out of the court of wards, on taking an oath of civil allegiance in lieu of the oath of supremacy; that the undertakers in the several plantations should have time allowed them to fulfil the conditions of their leases; that the claims of the crown should be confined to the last sixty years; that the inhabitants of Connaught should be permitted to make a new enrolment of their estates; and that a parliament should be holden to confirm these graces, and to establish every man in the undisturbed possession of his lands.[35]

The delegates returned to Ireland, with instructions to the lord deputy, who hastened to summon a parliament, before he had complied with the conditions required by Poyning's statute. The writs were undoubtedly illegal, but the error, whether it were intentional or not, might have been remedied by the issue of other writs, in a more legal form. Nothing,

[35] See the graces at length in the Strafford papers, i. 312.

however, was done. The Irish, though surprised, waited with patient reliance on the honour of their sovereign; nor did it yet enter into their minds to suspect that he would receive their money, and refuse to redeem his pledge.

Wentworth lord deputy.

But the lord Falkland was not the man to carry into execution the dishonest projects of the English council. He was recalled to make place for the viscount Wentworth, who, without resigning his office of lord president of the north, accepted that of chief governor of Ireland. Wentworth brought with him to the service of his sovereign, that austerity of disposition and that obstinacy of purpose, which had formerly earned for him the hostility of the king and of his favourite. He had once been the zealous champion of the rights of the people: he now knew no rights but those of the crown. Ireland, he maintained, was a conquered country; whatever the inhabitants possessed, they derived from the indulgence of the conqueror; and the imprudent grants of preceding kings might at present be resumed or modified by the reigning monarch. With these principles he proceeded to Dublin, assured of the protection of Charles, and strengthened by the influence of his friend, archbishop Laud. His very arrival formed a new era in the government of the island. He ordered the ceremonial of the British court to be observed within the

CHAP. I.

castle; a guard, an institution unknown under former deputies, was established; and the proudest of the Irish lords were taught to feel the immense distance which separated them from the representative of their sovereign.[36]

Wentworth had engaged to raise for the king a permanent revenue, which should free him from all dependence on the bounty of the people. But this, he observed, must be the work of time; and in the interval, after he had first cajoled the catholics, and terrified the protestants into a continuation of the voluntary assessment,[37] he ventured to summon a parliament. Charles expressed his alarm; but the deputy had taken the most effectual measures to ensure success. With the writs he issued a hundred letters of recommendation in favour of particular candidates; and procured a royal order to the absent peers to forward blank proxies to the council, that they might be filled up with such names as he should direct. Their number was considerable. They were for the most part natives of England or Scotland, who had no other connection with Ireland than the titles, which they had solicited or purchased from Charles or his father.[38]

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[36] Strafford papers, i. 96. 112. 134. [37] Ibid. i. 71. 74. 76. 134.

[38] Ibid. 186, 187. 246. 259. Charles writes to the deputy, "It "will not be worse for my service, though their obstinacy make you "break them; for I fear that they have some ground to demand "more than it is fit for me to give." P. 233.

CHAP. I.

Irish parliament.

When the parliament was opened, the lord deputy announced his intention of holding two sessions, one for the benefit of the king, the other for that of the people. In the first he obtained six subsidies of larger amount than had ever been granted before; but the commons voted them cheerfully, under the persuasion that in the next session they should obtain the confirmation of the graces.[39] They were grievously disappointed. In that session he informed them, that of these favours so long promised, and so anxiously expected, some were fit to be passed into laws, and some would be carried into execution by the order of government: but that the others bore so hard on the royal claims, that the king could not in justice, or honour, or conscience, suffer them to be established. From that moment harmony was succeeded by dissension. Wentworth, with the aid of promises and threats, obtained a majority of sixteen voices; the opposition was compelled to yield, and though several laws of great utility were pass-

[39] In former times, a subsidy in Ireland meant a decennial tax of a mark on every plough-land which had been manured,—a condition which opened a way to innumerable frauds in the collection. On this occasion the subsidy was changed into the payment of four shillings in the pound on land, and of two shillings and eight pence on goods after the manner of England. This from the commons amounted to £40,000. The subsidy of the lords was rated at four per cent. on their rents, and produced £6000. Ibid. 400. Carte's Ormond, i. 62.

CHAP. I.

ed, the most important of the concessions which had been promised, as part of the contract in 1628, were peremptorily refused.[40]

Convocation.

From the convocation Wentworth obtained eight subsidies of £3000 each. But this ample grant could not save the Irish clergy from the mortification which had been prepared for them by archbishop Laud, who deemed it an object of the first importance to unite the protestant churches of England, Scotland, and Ireland, in the profession of the same doctrine and the observance of the same discipline. The Irish prelates demurred. Theirs, they contended, was a distinct and independent church; they owed no obedience to the archbishop of Canterbury: they were satisfied of the truth of the Irish articles, erroneous as they might appear to the enemies of Calvin, and the admirers of Arminius. The deputy sought at first to sooth their feelings. He assured them that no claim of superiority was set up by the English metropolitan: he was willing that the Irish articles, the idols of their adoration, should be suffered to die away without censure or notice; he even granted them permission to compose a new code of ecclesiastical discipline. But at the same time

[40] Strafford papers, 280. 312. 350. 414. The artifices employed to take from the king the odium of breaking his word, and to attribute the refusal of the graces to the advice of the council, may be seen. Ibid. 280. 317. 320.

CHAP. I.

he required that this code, how much soever it might differ in form, should not depart in substance from that of the English church, and that one of its canons should include an unlimited admission of the thirty-nine articles. To his surprise he was informed that, in defiance of his command, the divines, intrusted with the compilation, had introduced a canon enjoining the admission of the Irish articles, under the penalty of excommunication. He sent for the archbishop and the committee, took the minutes into his own possession, reproached the chairman with having acted the part of Arminius, and forbade him to make any report of the proceedings to the convocation. He then imposed on Usher the task of framing a canon authorizing the English articles: but the labour of the primate did not give satisfaction: Wentworth drew one himself and sent it to the house, with orders that no debate should be permitted, and that the names of those who voted against it should be reported to him. One man only was found, who dared to dissent; the rest submitted with feelings of indignation and shame.[41]

Dec. 10.

When the lord deputy reviewed the proceedings of the convocation and the parliament, he hastened to express his satisfaction to his

Irish court of wards.

[41] Strafford papers, i. 298. 329. 342. 381. Wilkins, Con. iv. 496. 516.

CHAP. I.

friend, the archbishop. He had assimilated the Irish to the English church; he had eluded the confirmation of the graces; he had obtained a supply, which would not only pay off the debts of the crown, but defray for some years the extraordinary expenses of the government. "Now," he exclaimed, "I can say that the "king is as absolute here, as any prince in the "whole world can be, and may be still, if it be "not spoiled on that side."[42] His success stimulated him to carry into execution the other plans which he had formed for the improvement of Ireland. Of these the most important in his judgment was the extinction of the ancient worship, a work not to be precipitated by violence, but to be silently effected by the gradual operation of the law. Under the notion that the attachment of the lower orders to the catholic faith sprung out of their aptitude to imitate the conduct of their chiefs, he had persuaded himself that if the principal landholders could be induced to conform, the great mass of the people would spontaneously follow their example. With this view he restored to

[42] Wilkins, Con. iv. 344. On this account he wished to prorogue, and not to dissolve, the parliament: because he might find it useful to assemble it again. But Charles insisted on a dissolution. "My experience shews they are of the nature of cats, that they "grow crusty with age; so that if ye will have good of them, put "them off handsomely when they come of any age, for young ones "ever are most tractable." Ibid. 365.

full activity the oppressive powers of the court of wards. The catholic heir, if he were a minor, was educated by order of the deputy in the protestant faith; if of age, he was refused the livery of his lands, till he had abjured his religion by taking the oath of supremacy. The abolition of this grievance had been solemnly promised by Charles in the contract of 1628; but Wentworth, as we have seen, was careful to prevent the confirmation of that contract. He went even farther. To elude the claim of the crown to the wardships, and to prevent the necessity of suing out the livery of lands, the catholics had been accustomed to alter the property of their estates, by long leases of some hundred years, and feoffments to secret trusts and uses. But such expedients were now rendered unavailable by an act passed at the suggestion of the lord deputy, which provided that all persons, for whose use others were seized of lands, should be deemed in actual possession thereof, and that no conveyance of any estate of inheritance should be valid, unless it were by writing and enrolled in the proper court.[43]

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[43] This he observes "was a mighty consideration, for formerly "by means of their feoffees in trust, their persons almost never came "in ward, and so still bred from father to son in a contrary religion, "which now, as they fall in ward may be stopped and prevented." Wilkins, Con. iv. 344. Also 192. 312. 317. "Its consequence "appears in the person of the earl of Ormond, who, if bred under

CHAP. I.

New plantations projected.

The reader will have observed in the history of the last reign, that one of the chief grievances in Ireland was the insecurity of landed property, arising from the dormant and unsuspected pretensions of the crown. By the contract of 1628, Charles had consented to confirm by act of parliament the titles of the existing possessors: but he was seduced from the performance of his word by the promises held out to him by the lord deputy, who had already arranged a most extensive plan of spoliation, and intended to claim the whole province of Connaught in right of the sovereign. He pretended that Henry the Third, reserving only five cantreds to himself, had given the remainder to Richard de Burgo, to be holden by him and his heirs of the crown; that the rights of Richard had passed by marriage to the duke of York, the grandfather of Edward IV., and that they had descended from that prince to his legitimate successor, the reigning monarch. In the county of Roscommon a jury of freeholders, intimidated by his menaces and presence, returned a verdict in favour of the crown; the same was the result in those of Mayo, Sligo, Clare, and Limeric; but the men of Galway refused to

1635. July 10.

"the wings of his own parents, had been of the same affections and "religion his brothers and sisters are: whereas now he is a firm "protestant." II. 18.

surrender the inheritance of their fathers: they pleaded that the grant of Henry was confined to the royalties, and did not affect the lands; and they contended that the descent of Edward IV. from Richard de Burgo could not be proved, that one important link in the chain was wanting. They were all catholics, and Wentworth had already expressed a hope that their obstinacy would afford him a pretext to mulct them more severely than the inhabitants of the other counties. He was gratified: the jury found for the freeholders: and he immediately fined the sheriff £1000 for returning such an inquest, and sent the members before the Castle-chamber in Dublin, where they were severally fined £4000, and consigned to prison during his pleasure. Wentworth now issued a proclamation offering the royal favour to all who would voluntarily surrender their lands, and threatening actions in the court of exchequer against the refractory. Instead of submitting they appealed to the equity of the king, first contending that the evidence given on the trial was in their favour, then proposing that the question should be submitted to the decision of the English judges, and lastly, offering to pay a fine of £8000 for the confirmation of the composition, which their fathers had made with the crown in the reign of Elizabeth. But Charles acted by the directions of the deputy. The delegates were ar-

CHAP. I.

Aug.

CHAP. I.

rested by his orders, and sent prisoners to Dublin; and the freeholders, deprived of all hopes of obtaining justice, successively made their submission. According to the original plan, it had been intended to return three-fourths of the lands to the possessors, and to reserve the remaining fourth, no less than 120,000 acres, for the crown, to be planted with Englishmen, on conditions which would bring a considerable yearly revenue into the exchequer: it was now proposed that the men of Galway should forfeit a larger portion, a full half, in punishment of their obstinacy. Wentworth, in the prosecution of his design, had ordered the necessary admeasurements to be made; but he was prevented from proceeding by the events which soon afterwards deprived him of life. Enough, however, had been done to awaken a general feeling of discontent, and to alienate the affections of the natives from a government which treated them with so much deceit and oppression.[44]

Prosecutions.

The personal enmities of the lord deputy formed an additional cause of complaint. He was of a temper jealous, haughty, and impatient of contradiction. The slightest resistance to his will, the semblance of contempt of his authority, was sufficient to kindle his re-

[44] Strafford papers, i. 421. 442. 450. 464. 476. 494. 521.—ii. 36. 76. 82. 93. 98.

CHAP. I.

sentment; and from that moment, the unfortunate offender was marked out for ruin. He adopted the same motto with archbishop Laud: the word "thorough" was echoed back from one to the other in their private correspondence; and the subject of their mutual exhortations was the rejection of half measures, and the necessity of enforcing obedience by the terror of punishment. In conformity with these maxims, Wentworth spared no man whom he thought hostile to his views: and his resentment fell with peculiar severity on almost every individual whom he found in the possession of office at his arrival. It must be admitted that they were not immaculate characters: in a government like that of Ireland, where fortunes were continually made at the expense of the crown or of the people, few public men could bear a close investigation into their conduct;[45] but their real offence consisted not in their previous peculations, it was their want of zeal to concur with the deputy, their unguarded disapprobation of his measures, which entitled them to his enmity.

Trial of Mountnorris.

It happened one day that Annesley, a lieu-

[45] Of Balfour in particular, we are told by Wentworth, that "he "had done as many outrages and grievous misdemeanours, as ever "vizier basha had done under the grand seignior. There was not "such a tyrant in the king's dominions, who, utterly drunk with the "vice of violence, had with unequal and tottering paces trod down "his majesty's people on every side." Strafford papers, ii. 245.

CHAP. I.

tenant in the army, who had once been caned by Wentworth in a paroxysm of passion, placed a stool on his foot at a time when he was suffering from the gout. The circumstance was casually mentioned at the table of the lord chancellor, and lord Mountnorris, the vice-treasurer, exclaimed, "Annesley has a brother "who would not have taken such a revenge." These words were reported to Wentworth, who was dissatisfied, and perhaps justly, with the conduct of Mountnorris in his office. He dissembled for a time, but six months later the vice-treasurer, (he bore a captain's commission) was summoned before a court martial, on a charge of mutiny founded on this very expression. The deputy appeared both as prosecutor and president; and though he took no part in the deliberation of the court, pronounced the judgment, that the prisoner had been guilty of a breach of the thirteenth article of war, and should therefore suffer death. He did not, however, carry it into execution. He had sufficiently humbled Mountnorris; and, since his pride had been gratified, he joined with the court in recommending him to the king as a fit object of mercy.[46]

1635. Dec. 12.

Men had long complained of Wentworth's despotism: this last act of oppression seemed

Went-worth's apology.

[61] Strafford papers, ii. 392, 448. 497—501. 508. 509. 512. 514. 519. Clarendon papers, i. 449. 543. 594.

CHAP. I.

to unite every voice against him. Though Charles assured him of his protection, he deemed it expedient to answer his accusers in person; and having obtained permission to visit his estates in Yorkshire, improved the opportunity to pronounce before the king and council an elaborate, and, in many respects, a plausible defence of his administration. He had bettered, he observed, the condition of the clergy, had disciplined the army, had improved the revenue, had purified the courts of justice, had cleared the seas of the pirates, and had encouraged the growth of flax and the manufacture of linens.[47] Insinuations had, indeed, been thrown out, as if he had treated with undue severity the most faithful officers of the crown. But it should be recollected that Ireland was not, as England, a country where men had been taught by habit obedience to the laws. There the authority of the king had been perpetually controlled by the influence of his servants. To re-establish order it was necessary to make the highest subjects feel that they were amenable to the law; and to teach all, by the punishment of a few, that under a wise and righteous monarch, no rank,

[47] He had spent £1000 in the purchase of flax seed, and had procured workmen from Flanders; but at the same time he endeavoured to root out the manufacture of wool, that the Irish might not be able to compete with the English, but should be obliged to depend on them for clothing. Clarendon papers, ii. 19.

CHAP. I.

no wealth, no connexions, could screen the guilty from the retribution due to their transgressions. Charles applauded the vigour of his deputy; and Wentworth returned in triumph to Ireland.[48] If we consider him merely as a servant, with no other duty to perform than to seek the immediate profit of his master, he was certainly deserving of the praise and gratitude of the king; but he had broken the royal word to the natives, had harassed them by fines, compositions, and plantations, and had incurred the hatred of all ranks of people, whatever was their origin or whatever their religion.

Scotland.

Much, however, as the people of Ireland and England were aggrieved, they betrayed no disposition to oppose open force to the unjust pretensions of their sovereign: it was in Scotland that the flame was first kindled, which gradually spread, till it involved the three kingdoms in one common conflagration. When Charles returned from his visit to his native country in 1633, he brought back with him strong feelings of resentment against the lords who had ventured to oppose his favourite measures in parliament. Among these one of the most distinguished for his patriotism or obstinacy was the lord Balmerino, who was soon made to learn that the pleasure of the sovereign could not be resisted with impunity.

Trial of Balmerino.

[48] Clarendon papers, ii. 16—21.

CHAP. I.

During the parliament, a petition in favour of the dissidents had been prepared, though on consideration it was deemed prudent not to present it. It was drawn in language which must have proved ungrateful to the royal ear, and abounded in offensive insinuations, which it is acknowledged, were incapable of proof. Some copies of this instrument crept afterwards into circulation, and one of them was traced to Balmerino, who had in confidence and under a promise of secresy, communicated it to a friend. Spottiswood, archbishop of St. Andrews, hastened with the information to London: and it was resolved to prosecute the obnoxious nobleman on two statutes passed in the late reign, by one of which to utter slander against the king's person, estate or government, by the other not to apprehend or reveal the known author of such slander, were made crimes punishable with death. The exceptions taken against the dittay or indictment, were repelled by the court: and the fact of Balmerino's guilt as to the concealment of the author, was affirmed by a majority of eight jurors against seven. But judgment of death was not pronounced: the people assembled in crowds; and plans were arranged to massacre both the jurors who had given the verdict, and the judges who had presided at the trial. Traquaire, the lord treasurer, hastened to procure a respite: the dissatisfaction of the people,

1634. Oct. 14.

Dec. 20.

1635. Mar. 30.

CHAP. I.

the novelty of the prosecution, and the cruelty of inflicting capital punishment, where opinion was so divided as to the guilt or innocence of the prisoner, were repeatedly suggested to the royal consideration; and Charles, after a delay of some months, ungraciously and reluctantly signed a pardon. That resentment had some share in this most odious prosecution cannot be doubted: but the king failed in his principal object: he sought to intimidate, to tame the stubborn spirit of his countrymen, and to bend their necks to that yoke which was already prepared for them by archbishop Laud and a junto of Scottish prelates. But the danger of Balmerino produced an opposite effect. The people could not be persuaded that he had been guilty of any other offence than his previous advocacy of their rights and religion: warned by his example they resolved to stand by each other: they watched with jealousy every proceeding of the court: and were ready, on the first provocation, to unite as one man, in the defence of their liberties and of their kirk.[49]

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[49] Howell's State Trials, iii. 591—712. Balfour, ii. 216—220. Burnet's own times, i. 25. Laud's Troubles, 94. The justice general "found and declared that Balmerino had incurred the pain of "death contained in the acts of parliament," (State Trials, 712.) "but the sentence pronouncing against him was delayed, sore "against the bishope's will, (quho raged lyke a tempestuous sea "therat) wntil his majestie should be adwertissed." Balf. ii. 219.

CHAP. I.

New service book.

The king's father in 1616 had extorted from the general assembly an act authorizing the composition of a book of common prayer, and a code of ecclesiastical law; two concessions most hateful to the feelings of orthodox Scotsmen, because the one tended to abolish the use of extemporary prayer, the other to subject the conduct of ministers to the control of the bishops. A liturgy, however, was compiled: it received several corrections from the pen of the royal divine, and was sent back to Scotland for the further consideration of the prelates. But the disrepute in which the assembly of 1616 was held, and the resistance which had been made to the five articles of Perth, damped the zeal both of the king and of the bishops: and the project seemed to have died away, when it was afterwards revived in 1629 by the piety or policy of Charles.[50] Laud, indeed, laboured strenuously to establish at once the English liturgy: but his reasoning and influence were compelled to yield to the obstinacy of the Scottish bishops, who deemed it a disgrace to their country to owe either the service, or the discipline of their church, to their English neighbours. To four of the prelates, whose principles or subserviency had lately raised

[50] Though the covenanters attribute this "novation" to Laud, he solemnly declares in the history of his troubles, that he received the first notice of it from the king during his sickness in 1629. Laud's Troubles, 168.

CHAP. I.

them to the episcopal dignity, the king assigned the task of compiling the code of ecclesiastical law, and the form of public worship, but with instructions that the first should combine a selection from the acts of the Scottish assemblies, together with the more ancient canons, and that the second should carefully preserve the substance, though it might recede in a few unimportant particulars from the English liturgy. Each, as soon as it was completed, was submitted to the revision of the prelates of Canterbury, London, and Norwich; several corrections and improvements were suggested and admitted, and the amended copies received the royal approbation. Charles ordered both to be published and observed: but the canons made their appearance nearly a year before the service.[51]

1636. Oct. 18. It is opposed.

It was certainly a bold and chivalrous attempt. Charles had no right to impose on the nation a new form of worship, or new rules of conduct abhorrent from its religious habits and persuasion. He was not by law the head of

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[51] Bibliotheca Regia, 125—138. The fourth canon of chapter viii. provides that "as no reformation in doctrine or discipline can be "made perfect at once, it shall be lawful for the kirk at any time "to make remonstrances to his majesty," &c. The Scottish bishops deemed this canon of great importance, and begged it might not be altered. Laud approved of it, and expressed his satisfaction that "its true meaning remained still under the curtain." Dalrymple, ii. 13. Laud's Troubles, 101.

the church: he had not obtained the sanction of the assembly or of the parliament; nor could he expect that the Scottish clergy would resign at the mere pleasure of the sovereign, their legislative power, or the use of extemporary prayer.[52] They cherished these privileges as belonging to them of divine right: they boasted that they were not fettered and shackled with forms and rubrics: they claimed the right of introducing all subjects of local or national interest into their addresses to heaven, and of kindling the passions of their hearers by the solemnity of their appeals to the knowledge and justice of the Almighty. The book of canons had warned them to be on their guard: and the moment the liturgy was announced, woes and curses were showered from every pulpit on the heads of the men, who sought "to gag the spirit of God, and to de-"pose Christ from his throne, by betraying to "the civil magistrate the authority of the "kirk." These denunciations created a spirit of the wildest fanaticism: but while resistance was threatened and prepared, the leaders, with a degree of caution which seldom accompanies religious enthusiasm, contrived to eschew danger to themselves by transferring the pious task "to the christian valyancie of the godly "women."

[52] The king enjoined both the book of canons and the new service by "his authority royal." Bib. Regia. 136. 138. Balfour, ii. 224.

CHAP. I.

Tumult.

July 23.

On the appointed day the bishop and dean of Edinburgh, accompanied by the lords of the council, the judges, and the magistrates, proceeded to the high church, which had been selected for the cathedral. It was already crowded, and chiefly with females. From the moment the dean commenced the service, nothing was to be heard but groans, hisses, and imprecations. The women of all ranks began to exclaim that "the mass was entered, that "Baal was in the church:" they upbraided the minister with the most injurious names and epithets; they brandished at him the stools on which they were accustomed to sit; some even threw them in the direction of the pulpit.[53] The dean, alarmed at the tumult, resigned the post of honour to his superior in dignity and courage, the bishop: but no sooner did that prelate open his mouth, than his voice was drowned amidst cries of fox, wolf, belly-god, (an allusion to his corpulency,) and in a few moments a stool, which flung from a strong arm, whizzed close by his ear, admonished him to make a precipitate retreat. In this stage the magistrates by their exertions

[53] "Ane godly woman when sche hard a young man behind "sounding forth *amen* to that new composed comedie, sche quicklie "turned her about, and after sche had warmed both his cheeks "with the weight of her hands, sche thus shot against him the "thunder-bolt of her zeal: 'false thief,' said sche, 'is there na "'uther pairt of the churche to sing mess in, but thou must sing "'it at my lugge?'" Balfour, Stonie field day.

succeeded in excluding the most riotous from the church: the doors were locked, and the service proceeded amidst repeated interruptions from showers of stones which demolished the windows, and from loud cries from the people without, of "a pape, a pape, anti-christ, "stane him, pull him down." At the conclusion the prelate departed in haste to his lodgings, which were at a small distance: but he was overtaken by a crowd of female saints, who threw him on the ground, and rolled him in the mire. In the afternoon precautions were taken, and the service was read with little interruption to a thin and select auditory: but the bishop on his appearance in the street, would have met with the fate of St. Stephen, had not the earl of Roxburgh snatched him from martyrdom, and afforded him an asylum in his carriage. The women, however, followed, shouting and hurling stones, till the gates of Holyrood-house closed upon him, and disappointed the vengeance of his pursuers.[54]

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[54] Compare Nalson, i. 6—8. Guthry, 23. Baillie, 5. Clarendon, i. 109. with several original passages collected by the industry of Mr. Brodie, ii. 452. It appears that the women in all places were put in the front of the rioters. In the synod of Glasgow, William Annan had, in a sermon, spoken favourably of "the buke." "At "the outgoing of the church about thirty or forty of our honestest "women, in one voice before the bishops and magistrates, fell a "railing, cursing, scolding, with clamours on Mr. Annan..... "He is no sooner in the street at nine o'clock, in a dark night, with "three or four ministers with him, but some hundreds of enraged

CHAP. I.

Such an outrage under a vigorous government would have been met with prompt and adequate punishment: but the ministers of the crown in Scotland were slow to engage in a contest in which they felt no interest, and the issue of which seemed more than doubtful. They saw that a strong prejudice against episcopacy existed among their countrymen; that the restoration of the order was connected in the minds of the nobility with the probable loss of the church lands still in their possession; and that the introduction of eight prelates into the council, the appointment of one to be chancellor, and the power assigned to them of choosing the lords of the articles in the last parliament, had excited jealousies and apprehensions in the higher as well as in the lower classes.[55] Under such discouraging circumstances they shrunk from the contest, and left the execution of the royal will to the earl of Traquaire, the treasurer; an unwelcome and invidious task, which drew on him

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" women of all qualities are about him with neaves, staves, and " peats, but no stones. They beat him sore. His cloak, ruff, and " hat were rent. However he escaped all bloody wounds, yet he " was in great danger even of killing." Baillie, 8.

[55] " I find this the prime reason of the nobility's proceedings— " eight of the bishops being lords of the articles, who had the power " to chuse other eight of the nobility, whom they knew most ad- " dicted to his majesty, and these sixteen the rest, so that all de- " pended upon them, and they upon his majesty." Dalrymple's Memorials, 47.

the resentment of his countrymen, without securing to him the gratitude of his sovereign. The failure of every measure prescribed by Charles induced the prelatic party to accuse him of treachery: his best justification will be found in the conduct of their opponents, who pursued him with unrelenting hatred, as their most vigilant and most dangerous opponent.

Establishment of the "Tables."

If the proceedings in Edinburgh excited the astonishment of the king, his indecision allowed the gradual formation of an authority, to which, after a long struggle, he was compelled to submit. Four ministers had petitioned against the order to read the new service: the answer was deferred: their numbers increased: and a second delay multiplied the petitions to sixty-eight. Edinburgh was crowded with thousands from every part of the kingdom: and the recurrence of religious riots, which nearly conferred the crown of martyrdom on the lord treasurer and two of the bishops, induced the council to assent to a proposal, that for the preservation of the peace, the petitioners should be represented by a deputation permanently resident in the capital. The nobility, the gentry of the counties, the clergy of the presbyteries, and the inhabitants of the burghs, chose severally a "table" or board of representatives, and from each table, four members were selected to form a commit-

Aug. 23.

Oct. 18.

Nov. 15.

CHAP. I.

tee of superintendence and government, with power to collect the opinions of the others, and to decide on all questions in the last resort. With these five boards in the capital corresponded others in the country; their orders were received with respect, and executed with promptitude; and in a few weeks the tables possessed and exercised an uncontrolled authority throughout the greater part of Scotland. The contrivers of this plan, and the leading members of the committees, were the earl of Rothes, Balmerino, Lindsey, Lothian, Loudon, Yester, and Cranston.[56]

Petitions.

As the petitioners grew in numbers, they advanced in their demands. They required the formal revocation of the liturgy, of the book of canons, and of the court of high commission. They accused the bishops as the authors of the troubles which agitated Scotland: they "declined" their authority; they protested against every act of council, to which any of the prelates should be parties. At the

1638. Feb. 19.

expiration of seven months Traquaire was ordered to publish a proclamation in Edinburgh and Stirling, declaring the tables unlawful, pardoning all who should peaceably

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[56] Baillie, 9. 10. 15. 23. 25. Rushworth, ii. 394. Hardwicke papers, ii. 96. 103. Burnet, Memoirs of Hamilton, 53. Nalson i. 16—18. It is plain that the consequences of his obstinacy were pointed out to the king by the council in Edinburgh. Hard. pap. ii. 95—100. Balfour, ii. 229—238.

return to their homes, and commanding all strangers to depart under the penalty of treason. But the petitioners were previously acquainted with this order: they met in considerable numbers both in Stirling and Edinburgh; and as soon as the herald had performed his office, read and affixed to the market-cross a counter protestation. This extraordinary procedure was held a sufficient ground to disobey the royal command.[57]

A new covenant.

But the leaders of the anti-episcopal party adopted another and most efficient expedient. They composed a new covenant. It commenced with one of more antient date, containing a general profession of faith, and a minute abjuration of the doctrines and practices attributed to the church of Rome: to it was appended an enumeration of all the acts of parliament which confirmed the tenets and discipline of the kirk, and inflicted punishment on its opponents: and then followed the vow, in which the subscribers bound themselves, "by the great name of "the Lord their God," to defend the true religion, to resist all contrary errors and corruptions, and to stand to the defence of the king, his person and authority, in preservation of the religion, liberties, and laws of the kingdom: a clause which, by limiting the obedience of the

[57] Baillie, 18. 28. 29. 34. 42—44. Large declaration, 48. Hardwicke papers, ii. 97—101 Rushworth, ii. 406. Nalson, i. 20—27.

CHAP. V.

subject, was construed to authorize rebellion, whenever the measures pursued by the sovereign should be represented by the tables as contrary to the laws, or liberties, or religion of Scotland. By orders from the committees, every Scotsman who valued the pure faith and discipline of the kirk, was summoned to the capital to observe a solemn fast, as a preparation for the renewal of the covenant between Israel and God: and on the appointed day zealots of each sex, and of every rank and profession, from the highlands as well as the lowlands, crowded to the church of St. Giles. The service began with a long exhortation and most fervent prayer; the congregation rose; and all with arms outstretched to heaven swore to the contents of the covenant. They shouted, wept, and embraced each other; God was appeased; their backsliding and apostacy were forgiven. From the capital the enthusiasm quickly diffused itself to the extremities of the kingdom; and the number of the covenanters in every county exceeded that of their opponents in the proportion of a hundred to one.[58]

Mar. 1.

[58] Baillie, 35. Rushworth, ii. 754—778. Guthry, 34. 35. Hardwicke papers, ii. 103. 107. "If you knew what odd, uncouth, "insolent, and ridiculous courses they use to draw in silly ignorant "fools, fearful fasards, women and boys, I can hardly say whether it "would afford his majesty more occasion of laughter or anger..... "You could not have chused but laugh to have seen pipers and "candle-makers in our town committed to the town-jail by our "zealous Mr. Mayor; and herdmen and hiremen laid in the stocks

CHAP. I.

James, on his accession to the English throne, had established a privy council of Scotsmen, charged exclusively with the affairs of their native country. By the advice of this council, after three months had been spent in deliberation, Charles resolved to suppress the covenant by open force; and in the interval, while he made preparations for the contest, to send the marquess of Hamilton, as his commissioner, to Scotland. Hamilton was instructed to promise that "the practice of the liturgy and the "canons should never be pressed in any other "than a fair and legal way, and that the high "commission should be so rectified as never to "impugn the laws, or to be a just grievance to "loyal subjects;" and that the king, instead of punishing those who had lately taken an illegal covenant, would pardon the offence, on condition that they should immediately renounce it, and deliver up the bond to the commissioner. As he approached, a national fast was enjoined to beg the blessing of God upon the kirk; and twenty, some say sixty, thousand covenanters, with five hundred of their ministers, received him at Leith, and conducted him to the capital.

Hamilton commissioner.

June 3.

June 10.

"up and down the country, and all for refusing to put their hand to "the pen, as a thousand have done, who cannot write, indeed; "and yet you would have laughed better to have seen the wives "in Edinburgh, ...so many of them as could not subscribe "..... hold all up their hands when the covenant .... was read, as "soldiers do when they pass a muster." Dalrymple, ii. 25.

CHAP. I.

Alarmed at their union, and pretensions, and obstinacy, he concealed his instructions; made two successive journeys to London to convey information, and receive the commands of his sovereign; and on his second return published a proclamation "discharging" the service book, the book of canons, and the high commission court, dispensing with the five articles of the assembly of Perth, excusing the intrants into the ministry from the oath of supremacy and of canonical obedience, commanding all persons to lay aside the new covenant, and to take that which had been published by the king's father in 1589, and summoning a free assembly of the kirk against the month of November, and a parliament against that of May in the following year.[59]

Sept. 17.

Sept. 23.

Concessions refused.

These were concessions which, at an earlier period, would have been accepted with gratitude. But it was the misfortune of Charles not only to act with insincerity himself, but to be surrounded by counsellors equally insincere, who, while they sought to obtain his favour, by conforming their advice to his wishes,

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[59] Baillie, 60. 79. Balfour, ii. 264—288. Rushworth, ii. 752. 754. 787. Burnet's Hamiltons, 82. 88. Nalson, i. 32—57. That Charles meant only to temporize appears from the Strafford papers, ii. 181. 184—186. 188. and his letters to Hamilton, "Your chief end "being now to win time, that they may commit public follies, until "I be ready to suppress them." Burnet's Hamiltons, 55, 56, 57. 59, 60.

CHAP. I.

were careful at the same time to purchase the good opinion of his adversaries, by perfidiously communicating to them his real intentions. The Scottish leaders received information that no reliance was to be placed on this apparent change of disposition in the monarch; that his object was to lull them into a fatal security, till he had completed his preparations for war; and that in a few months he would enforce whatever he had now withdrawn, at the head of a numerous and well appointed army. They determined to persist in their union; and opposed to the royal proclamation a formal protest, shewing by sixteen reasons that to assent to the demands of the king would be to betray the cause of God, and to act against the dictates of conscience.[60] Sept. 22.

It was expected that Charles would forbid the meeting of the assembly; but he ordered the commissioner to attend, in hope that the violence of the members would provoke him to dissolve it, and would justify, in the opinion of his English subjects, his intended appeal to Assembly at Glasgow.

[60] Rushworth, 772—780. Nalson, i. 64. Balfour, 292. There is in Dalrymple a curious letter of information from some friend to the covenanters, which shews that many Englishmen wished success to the Scots, with the view of emigrating to Scotland, that they might not be compelled to conform by the prelates in England. The writer therefore begs, that whenever they agree to a pacification, one article may be that the subjects of each kingdom may freely dwell in the other. ii. 42.

CHAP. I.

arms. The tables were masters of the elections: they procured one lay elder and four lay assessors, to be returned from every presbytery; and thus, with the aid of their friends, became sufficiently numerous to control the few among the clergy, who hesitated to approve

Nov. 21. of their proceedings. The assembly met at Glasgow, and a week was spent in violent and irritating debates. The commissioner protested against the part taken by the tables in the elections, against the introduction of the lay elders, a practice discontinued since the beginning of the last reign, and against the authenticity of certain written volumes which were produced, as containing the acts of the more ancient assemblies, acts hitherto supposed to have been lost, but now most providentially discovered. On every subject he was overpowered by numbers: and when Henderson, the moderator, prepared to put the question respecting the declinator of the bishops,[61]

Nov. 29. he conceived that the moment described in his instructions was come, and suddenly rising, dissolved the assembly. His manner, his tears, and his language, persuaded the members, that if his voice was against, yet his heart was with them; but if we may believe his letter to the king, his distress arose from the

[61] The declinator was a protestation against the authority of the assembly. It is in Nalson, i. 249.

CHAP. I.

calamities which he saw ready to burst on his country. He blamed both parties, the presumption and disobedience of the covenanters, the illegal proceedings, the ambition and the immorality of several among the bishops; and conceiving his life in danger, bequeathed his children to the care of his sovereign, that the sons might be bred, and the daughters married, in England. He added, that from Scotland he wished to be divorced for ever.[62] Nov. 28.

But the members were not inclined to disperse at the mere mandate of the sovereign. Encouraged by the accession of the earl of Argyle, who from that moment became the head of the covenanters, they passed a resolution that in spiritual matters the kirk was independent of the civil power, and that the dissolution of the assembly by the royal commissioner was illegal and void. The three next weeks were employed in the revision of every ecclesiastical regulation introduced since the accession of James to the crown of England. The liturgy, ordinal, book of canons, and court of high commission were condemned; episcopacy was abolished; and the bishops themselves with the ministers, the known fautors of the bishops, were excommunicated or deprived. Charles by proclamation annulled these pro-

[62] Hardwicke papers, ii. 113—121. Baillie, 96—115. Rushworth, ii. 840—857. Balfour, 301—303.

CHAP. I.

ceedings: the Scots received them with transports of joy, and celebrated a day of national thanksgiving for their delivery from prelacy and popery.[63]

Dec. 20.

Preparations for war.

While the covenanters thus steadily pursued the abolition of episcopacy, they were not inattentive to the danger which threatened them from England. Their preparations for war kept pace with those of their sovereign. The supreme committee in Edinburgh issued its commands to the inferior boards in the several presbyteries: and religious enthusiasm ensured obedience. Every man capable of bearing arms was regularly trained; officers, who had grown old in actual service, hastened from the Swedish and Dutch armies to animate and exercise their countrymen; and arms and ammunition were furnished by the Scottish merchants in Holland. Money was the principal desideratum. A scanty supply was obtained from some of the rich citizens in Edinburgh: many of the nobility sent their plate to be coined at the mint: and a liberal present was received from a secret and unexpected friend, the cardinal Richelieu. That minister had long sought an opportunity to take revenge on the English throne for the aid so often supplied to the French huguenots,

1639. Jan. 5.

[63] Hardwicke papers, ii. 124. Baillie, 115—149. Rushworth, ii. 872. 875—881. Nalson, i. 97—120. Balfour, 303—315.

when they rose in arms against their sovereigns; and on Charles in particular, for his recent opposition to the meditated reduction of Dunkirk by the king of France. On this account, he twice sent Chambers, his almoner, to Scotland, that he might inquire into the origin and progress of the troubles; procured the release of 6000 stand of arms, which had been bought for the covenanters, and seized by the states of Holland; and ordered the French ambassador in London, to pay one hundred thousand crowns to general Lesley, who had recently returned from Germany, and had been appointed commander-in-chief.[64] But the last transaction was kept a profound secret. Had it been known to the ministers, their bigotry would have pronounced it a sacrilegious violation of their covenant with the Almighty. Already, when it was proposed to solicit assistance from the Lutheran princes of Germany, and the catholic kings of France and Spain, they had replied that the Lutherans were heretics, the catholics idolaters: and that to have recourse to either, would be to refuse the protection of God, and to lean to the broken reed of Egypt.[65]

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[64] Dalrymple, ii. 47. Nouvelles lettres d'Estrades, i. 8. The earl of Leicester, at Paris, had discovered some trace of this intrigue, but was unable to follow it up. Sydney papers, ii. 562. 572. 596. 599.

[65] Baillie, i. 154.

CHAP. I.

It was not till after the first return of the marquess of Hamilton from Scotland, that Charles deigned to ask the advice of his English counsellors.[66] Laud, whether it was through a sense of duty, or through apprehension of the result, surprised his colleagues by the earnestness with which he argued in favour of peace. But his opposition served only to procure a short delay. The king had long ago taken his resolution: the archbishop was reprimanded for his pusillanimity; and the majority of the council hastened to determine in conformity with the pleasure of the sovereign. In the beginning of December the captains were named, and the general officers appointed; the lords lieutenants received orders to muster the trained bands of the several counties, and the lord keeper sent a summons to each peer to wait on the king at York with a retinue suitable to his rank. To procure money loans were made, the payment of pen-

[66] It has been believed on the credit of the charges against Laud and Strafford, that they were the real authors of the war. It will, however, appear from a careful examination of their private letters and other contemporary documents, that Laud dissuaded hostilities, and that Strafford's advice was never asked. The king inquired what aid he might expect from Ireland: and Strafford, in answer to a second letter, promised to send 500 men. He acknowledged, indeed, that the presumption of the Scots ought to be checked, but advised a middle course, so as neither to submit to their will, nor to make a rash and sudden declaration of war. See Laud's Troubles, 76. 168. Sydney papers, ii. 579. Strafford papers, ii. 187. 190. 228. 233. 264.

CHAP. I.

sions was suspended, the clergy, judges and lawyers were called upon to contribute with their purses in lieu of their personal services; and the queen employed all her influence with the leaders of the catholics, to obtain from them a liberal subscription in return for the indulgence which they had experienced from their sovereign.[67]

Backwardness of the English.

Charles, however, could not but remark the visible indifference of his English subjects. To the majority, discontented with the illegal tenor of his government, it was a matter of little concern, perhaps of real satisfaction, that the Scots refused submission to his mandates: the puritans openly condemned the war as an impious crusade against the servants of God; and the only persons who seemed to interest themselves in the cause, were the more orthodox of the clergy, and the few men of wealth and importance who depended on the favour of the court. It was in vain that the king by different proclamations pronounced the covenanters rebels, that he accused them of aiming at the separation of the Scottish from the English crown, and that he attributed to them

[67] Rushworth, ii. 791—797. 818. 820—826. Sydney papers, ii. 579. Strafford papers, 350, 351. Charles made an attempt to procure through the agency of colonel Gage, a foreign army of 6000 foot and 400 horse from the archduke, in return for permission to raise a certain number of recruits for the Spanish army yearly in Ireland. It failed, because the archduke could not spare so large a force of veterans at that moment. Clarendon papers, ii. 16—29. 50.

CHAP. I.

the design of invading and plundering the northern counties. To such charges were successfully opposed the printed declarations of the tables, who called on God to witness their loyalty, and protested that, if they had taken up arms, it was in defence of the rights of conscience; let the king only cease from his religious innovations, and he would find them the most dutiful of his subjects.[68]

Scots begin hostilities.

But these professions of obedience did not prevent them from being the first to commit

Mar. 21. hostilities. On a Friday in March, the castle of Edinburgh was surprised by Lesley, at the head of one thousand musketeers: on the Saturday, the womanish apprehensions or waver-

Mar. 22. ing fidelity of Trequaire surrendered the strong house of Dalkeith, and with it the regalia of Scotland; and the next day the rest of the Sabbath and the observance of a solemn fast were violated to obtain possession of the castle-

Mar. 23. of Dunbarton. The governor with part of his garrison having left the church after the second sermon, was surrounded by a party of armed men, and compelled under a menace of immediate death to send for the keys, and deliver them to the provost of the town.[69] Thus, as Stirling was already secured by the earl of Marr, who had taken the covenant, of all the

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[68] Clarendon papers, ii. 798—802. 830—833.

[69] Balfour, ii. 320—323. Baillie, i. 158, 159. Nalson, i. 212.

CHAP. I.

royal fortresses one only, and that the least important, Carlaverock, on the western border, remained to the king. Every day brought him intelligence of some new disaster or disappointment. The earl of Antrim, who from Ireland menaced the possessions of Argyle, was unable to fulfil his engagement; Huntley raised, indeed, the royal standard in the north, but was soon conducted by Montrose a prisoner to Edinburgh; and Hamilton, who entered the Frith with a numerous fleet, instead of occupying Leith, according to his instructions, dared not attempt a landing on any part of the coast. Charles himself had repaired to York, where April 19. he proposed to the lords who accompanied him an oath of allegiance, binding them to oppose all seditions, conspiracies, and covenants against his person and dignity, even if "they came "veiled under pretence of religion." To his surprise and indignation it was refused by the lords Brook and Say, who to the interrogatories put to them replied, that though they could not be compelled by law, they were willing through affection, to accompany their sovereign: but that they were ignorant of the laws and customs of Scotland, and therefore unable to say whether the covenanters were rebels, or the war against them was just. The king April 21. ordered them to be confined, consulted the attorney and solicitor general, and learned with vexation that there existed no ground for

CHAP. I.

criminal proceedings against the prisoners. After some days they were discharged.[70]

The armies meet.

From York Charles advanced to the neighbourhood of Berwick, and Lesley fixed his head-quarters at Duns-Law. That general called for every fourth man from each presbytery; and though the call was not exactly obeyed, twelve thousand volunteers crowded to his standard. He demanded reinforcements: the ministers in the camp added written exhortations; and the instructions delivered to the messengers served to display the policy of the leaders, and the feelings of the people. One was directed to call on every true Scotsman in the name of God and the country to hasten to the aid of his countrymen, with them to extort a reasonable peace from the king, or to seek in battle their common enemies, the prelates and papists of England. Another followed, denouncing the curse of Meroz against all who came not to the help of the Lord; and he was succeeded by a third, who, in bitter and sarcastic language, summoned the loiterers to attend the burial of the saints, whom they had abandoned to the swords of the idolaters. Such invitations produced impression on minds deeply imbued with religious fanaticism; and

[70] Bibliotheca Regia, 371—373. Clarendon papers, ii. 38. 41. 45. The lords who had taken the oath, signed a paper declaring the sense in which they had taken it. The king was displeased, and the oath laid aside. Strafford papers, ii. 351.

CHAP. I.

Lesley's army gradually swelled to more than twenty thousand combatants, all enthusiasts in the cause, and ready to shed their blood for the Lord of Hosts. On the tent of every captain waved a new ensign, bearing a figure of the Scottish arms with this motto, "for Christ's "crown and the covenant:" each morning and evening the men were summoned by sound of drum to perform their devotions under the canopy of heaven; two sermons were preached daily to convince them of the righteousness of their cause, and the protection of the Almighty; and of the remainder of their time, whatever portion was not spent in martial exercises, was devoted to the reading of the scriptures, the singing of psalms, mutual exhortation, and extemporary prayer.[71]

Pacification of Berwick.

To this army, thus animated by the most powerful motives that can influence the human breast, Charles could oppose an equal, perhaps superior, number of men; but men who felt no interest in the cause for which they were destined to fight, who disapproved of the arbitrary proceedings of their sovereign, and who

[71] Baillie, 170. 175. 176. "Had you lent your ear, and heard in "the tents the sound of some singing psalms, some praying, some "reading scripture, you would have been refreshed. . . . For "myself I never found my mind in better temper than it was. I "was as a man who had taken leave from the world, and was resolved "to die in that service without return. I found the favour of God "shining upon me, and a sweet, meek, humble, yet strong and "vehement spirit leading me all along." Id. 178.

CHAP. I.

had been warned that the suppression of the Scottish covenanters could only serve to rivet those chains, which had been forged for themselves. The earl of Holland appeared before Kelso with a numerous detachment of horse and foot: but at the first sight of the Scots they turned their backs, and Lesley, who considered procrastination equivalent to defeat, announced his intention of marching against the royal army. Charles, who had hitherto affected to despise the enemy, felt a sudden alarm: works were immediately constructed on the banks of the Tweed: and a page, who had obtained permission to visit his Scottish friends, received instructions to suggest the possibility of an accommodation. His meaning

June 6. was understood: passports were solicited; and four commissioners proceeded to the English

June 11. camp. They were received in the tent of the earl of Arundel: but Charles took the negociation on himself; and for several days debated every point with an earnestness of argument and a tone of superiority, which seems to have imposed on his hearers of both nations. By his last answer, though he refused to acknowledge the assembly of Glasgow, he consented to ratify the concessions made by his commissioner, and to intrust the decision of all ecclesiastical questions to a general assembly, that of civil matters to the parliament, and to summon both to meet in the month of August. This

CHAP. I.

answer was far from giving complete satisfaction: it made no mention of the abolition of episcopacy, and it affected to regard the proceedings at Glasgow as of no validity: but on the other hand, many of the covenanters, partly from religious scruples, partly from the fear of irritating the people of England, refused to cross the borders. Reports were daily circulated of a descent from Ireland; and the issue of a rising of the royalists in the north under the Lord Aboyne, son to the earl of Huntley, was still uncertain. Under these circumstances the chiefs resolved to accept the declaration, and engaged on their part to disband the army, and to restore the royal fortresses. By the more zealous of the covenanters they were reproached with apostacy from the cause of God and the kirk; and to vindicate themselves, published an apology, which was afterwards condemned by the English council as a false and seditious libel, and ordered to be burnt by the hands of the common hangman.[72]

June 13.

Aug. 4.

[72] Rushworth, ii. 945. 1023. Hardwicke papers, ii. 130—141. Sydney papers, ii. 601. Biblioth. Regia, 181. Burnet's Hamiltons, 140. Nalson, i. 232—240. 251. Balfour, ii. 324—529. Balfour says that the paper burnt contained three or four articles signed by the king, but to be kept secret, that his honour might not be impaired, ii. 328. Yet in all the subsequent disputes we hear only of verbal promises, which the king was said to have made, and which some of the lords reduced to writing, that they might not be forgotten. 336. 340. 341. One of these was, that the clergy should not be comprehended in the article which restored to all the king's

CHAP. I.

Assembly at Edinburgh.

Charles had promised and intended to proceed to Edinburgh, to hold the parliament in person. He was deterred by new instances of "valyancie" on the part of "the godly females," who insulted with impunity his friends, even the first officers of state, whenever they appeared in public.[73] To gain the more moderate, and to discover the real views of the more violent among his opponents, he summoned fourteen of their number to attend him at Berwick: but distrust of the king, or consciousness of guilt, induced the majority to disobey; and only three commoners and three lords, Montrose, Loudon, and Lothian, ventured to wait on their sovereign. Of the latter, Montrose was made a convert, Loudon and Lothian were mollified by the condescension
July 17. and protestations of Charles: while Hamilton by his dissimulation (he had previously received for that purpose a royal warrant and pardon) drew from the others many of the secrets of the party.[74] Before his departure for London the king appointed Traquaire to hold both the assembly and the parliament; imposing on him a task to which no human abilities were equal,—to guide the zeal, and moderate the

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Scottish subjects the goods of which they had been deprived. Laud's Troubles, 170, 171.

[73] Baillie, i. 184. Rushworth, ii. 1024. Burnet's Hamiltons, 144.

[74] Hardwicke papers, ii. 141. Rushworth, ii. 955, 956. 1021.

language of religious enthusiasts. He was, indeed, willing to tolerate what he had not the power to prevent: and, with the resolution of afterwards revoking whatever necessity should now compel him to grant, he allowed the commissioner to consent to the abolition of episcopacy, of the service and the canons, of the articles of Perth, and of the high commission court; but at no events to admit of expressions which should designate these institutions and doctrines as unlawful in themselves, or contrary to the word of God. The assembly was first held: every deputy, before his departure from his presbytery, had been compelled to testify upon oath his adhesion to the late obnoxious assembly at Glasgow: and in the preamble to their acts they were careful to employ all those opprobrious and damnatory epithets, which the king regarded with so much horror. All that the commissioner could obtain was, that they should not be introduced into the clause of abolition itself, and that to the covenant should be added a more express declaration of allegiance to the sovereign. Traquaire, though with reluctance, gave the royal assent to these proceedings, and the successful conclusion of the assembly was hailed by the people with shouts of triumph and prayers of thanksgiving.[75]

July 27.

Aug. 6.

Aug. 30.

[75] Rushworth, ii. 948. 953—965. 1024. Burnet's Hamiltons,

CHAP. I.

Parliament. Aug. 12.

In parliament the covenanters displayed equal firmness and obstinacy. Their object was two-fold, to supply the place of the spiritual lords, the bishops, who, after the act of assembly, no longer existed in Scotland, and to abridge the power which the crown had hitherto possessed of selecting the questions for discussion, and of influencing the voters in parliament. They permitted the commissioner for once to select the lords of the articles, but only as a matter of grace, and not of right; and proposed that the lesser barons, the commissioners of the shires, should for the future occupy the place of the bishops; that each estate should freely choose out of its own body a portion of the lords of the articles, that patents of peerage should be restricted to persons in actual possession of land-rents within the country to the yearly amount of 10,000 merks, that no proxies should ever more be admitted, that the castles of Edinburgh, Dunbarton, and Stirling, should be intrusted to the custody of none but Scotsmen, and that all acts in favour of episcopacy should be repealed. Traquaire felt himself too weak

149—154. 156. Nalson, i. 245. Balfour, ii. 351—353. Charles was not satisfied with the conduct of Traquaire. His great objection was to the condemnation of episcopacy, as "unlawful in this kirk "of Scotland:" he would have admitted "contrary to the constitu- "tion of the kirk of Scotland," but disliked the word "unlawful," through fear that the word might be abused by innovators in other countries, (Nalson, i. 255.) It appears to me a mere quibble.

CHAP. I.

to stem the torrent: he prorogued the parliament during a few days, and Charles, approving his conduct, continued the prorogation for six months. This proceeding was met as usual with a protest against its legality, but accompanied with a promise that the states would obey, not because they were obliged by law, but that they might prove their deference and attachment to their sovereign.[76] Nov. 14.

Destruction of a Spanish fleet.

The king was fully convinced that, though religion might influence the multitude, the depression of the royal authority was the real object of the leaders. To reduce them to obedience, he knew of no other method but force: and, while he revolved in his mind expedients to raise funds for a second expedition, fortune, as he persuaded himself, placed a new resource within his grasp. A Spanish fleet of galleons and transports, amounting to seventy sail under Oquendo, had been discovered in the channel by the Dutch squadron, commanded by De Wit. A pursuit commenced: De Wit was joined by Van Tromp; and Oquendo sought an asylum in the Downs. He had lost three ships, his pursuers two: but the latter entered the road with him, and repeated arrivals from Holland augmented their force to the number of 100 sail, besides fireships. It was the general opinion that the Sep. 17.

[76] Balfour, ii. 351—362. Nalson, i. 265—271.

CHAP. I.

Spanish fleet could not escape destruction, when Charles made an offer, in consideration of £150,000 in ready money, to take it under his protection, and to convey it to its destination on the coast of Flanders, and thence to some port in Spain. The proposal was cheerfully entertained by the court of Brussels: an order, it is said, had even been issued for the payment of part of the sum, when the states, unwilling to lose their prey, ordered the two admirals to attack the Spaniards. Though Pennington was present with an English fleet, under orders to prevent any aggression on either side, he remained a quiet spectator of the combat. Twenty-three Spanish ships ran on shore: of thirty, which put out to sea, ten only reached the harbour of Dunkirk. The rest were either destroyed or captured. The cardinal infant, governor of the Netherlands, called on the king to revenge this insult on his authority: but Charles, keenly as he felt the disappointment and disgrace, was content to complain, and gladly accepted the apology which was made by ambassadors specially commissioned for that purpose.[77]

The king, after his return, had submitted the affairs of Scotland to the consideration of a

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[77] See Nalson, i. 258. The dispatches of Windebank in the Clarendon papers, ii 70—80. Warwick's Memoirs, 119. D'Estrades, 29. Whitelock, 31; and Sydney papers, ii. 612, 620.

committee, consisting of archbishop Laud, the marquess of Hamilton, and Wentworth, who had been ordered to attend the English court. Laud once more argued in favour of peace; but he was silenced by the eagerness of the lord deputy, and the known sentiments of the king. The bishop of London, lord treasurer, the earl of Northumberland, lord admiral, Cottington, Windebank, and Vane, were now added to their number, with instructions to provide funds, and to arrange the preparations for the campaign. They issued writs for ship-money to the amount of £200,000, and advised the king to summon a parliament, as the most legal manner of procuring a more abundant supply. Charles ordered a full council to be called: and, when he found them unanimous in the same advice, put to them this pertinent question: "If this parliament should prove as "untoward as some have lately been, will you "then assist me in such extraordinary ways as "in that extremity shall be thought fit?" They replied in the affirmative, and the king reluctantly gave his assent.[78]

CHAP. I.

Oct. 24.

Nov. 14.

Dec. 5.

But by the advice of Wentworth it was resolved to apply in the first instance to the liberality of the Irish parliament. Before his departure, to reward his past services, and to

Irish parliament.

1640. Jan. 12.

[78] Sydney papers, ii. 614, 615. 618. 621. Clarendon papers, ii. 81, 82.

CHAP. I.

give greater weight to his efforts, he was created earl of Strafford, and appointed lord lieutenant of Ireland. There no man dared openly to oppose his pleasure: the two houses voted a grant of four subsidies; and at his command added a promise of two more, if they should be found necessary. With this vote as a lesson and a precedent for the English members, Strafford returned to the court, having left orders for the immediate levy of an army of eight thousand men.[79]

Mar. 17.

April 6.

English parliament.

In England the meeting of a parliament after an interruption of so many years, was hailed with expressions of joy, and the people expected from its labours the redress of those grievances under which they had laboured, and the vindication of those liberties which had been violated. Charles met the two houses without any sanguine expectations of success: but he called upon them to grant him an ample and speedy supply, and to demonstrate to them the justice of his cause, exhibited an intercepted letter, subscribed by seven of the principal covenanters, and soliciting the aid of the

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[79] Rymer, xx. 359. Strafford papers, 390—404. It has been asked why the English parliament was summoned for so late a day as the 13th of April, if the king's wants were so urgent? Windebank informed the ambassador at Madrid, that it was to give time for the meeting of the Irish parliament before the commencement of that in England. Clarendon papers, ii. 82.

king of France.[80] The result, however, proved that the commons inherited the sentiments and policy of their predecessors. They took no notice of the prayers or the wants of the sovereign: but they gave their whole attention to the national grievances, which they divided into three heads, innovations in religion, invasions

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[80] Loudon, one of the subscribers, had come to London in quality of a commissioner, and was committed to the Tower. In his own justification he alleged that the letter was written in May of the last year, before the king came to Berwick; and that he did not understand French, but supposed that its sole object was to solicit the mediation of the king of France; that it did not please, and therefore was not sent, nor intended to be sent; and that whatever offence he had committed by signing it, was covered by the pacification of Berwick, and the act of oblivion. (Journals, Ap. 16. Whitelock, 33. May 37. Reprint of 1812.) Of these allegations some are very questionable, others are most probably false. The letter requesting the mediation of the French king may be seen, with the objections to it, in Dalrymple, ii. 61. It was accompanied with instructions to the bearer to solicit a supply of money and arms, or a diversion abroad, (Ibid. 64.) Whether this letter was sent, or the other substituted for it, is uncertain. The letter bears no date, but the king evidently believed it to have been recently written, and on its way to the French king. "By chance I intercepted it as it was "going to him." Journals, iv. 48. Nor is it very likely that seven lords would have signed such an instrument, unless they had intended to send it. That more than mediation was asked, is evident from the context, coupled with the fact that the covenanters had already received an aid in money from Richelieu, and had directed their agent to ask for more. They express their confidence of obtaining "une assistance esgale a votre clemence accoustumée "cy devant et si souvent monstrée a cette nation." Ibid. Charles, we are told, wished to prosecute Loudon in England, but was dissuaded by Hamilton, who asserted that he had a right to be tried by his peers. I give no credit to Burnet's hearsay story of the king's intention to behead him without trial.

CHAP. I.

of private property, and breaches of the privileges of parliament. 1°. Under the first, they enumerated all the charges made by the puritans against the archbishop, and complained of the authority recently given to the convocation to make new and amend the old constitutions, an authority necessarily affecting the rights and liberties of the laity. 2°. The second comprised the monopolies granted by the crown, the levy of ship money during so many years, the enlargement of the royal forests, the charges laid on the counties during the late campaign, and the vexatious prosecutions on account of the refusal to pay unwarrantable taxes, and of resistance to unlawful monopolies. 3°. They reckoned as breaches of privilege the command given by the king to the late speaker to adjourn the house without its consent, and the attempts of the courts of law to punish the members for their behaviour in parliament. On all these subjects it was resolved to solicit the opinion and co-operation of the lords.[81]

Dissolution.

April 21.

April 24.

Charles viewed the apathy of the commons at first with impatience, afterwards with alarm. It was in vain that he endeavoured to quicken their proceedings by an earnest and conciliatory speech at Whitehall: and his request to the lords that they would not listen to the grievances of the commons till the royal wants had

[81] Journals, Ap. 17. 20. 22, 23, 24.

CHAP. I.

been supplied, was productive of a fatal dispute between the two houses. In the first conference the lords expressed their opinion that the supply ought to have the precedence of every other question: in the second the commons complained that such intimation was an infringement of their privileges.[82] The lords replied, that they claimed no right to originate bills of supply, or to point out their amount, or the manner in which the money was to be raised: but that it was competent for them to communicate to the lower house their advice respecting supplies in general, and to warn them of the prejudice likely to arise to the nation from their refusal or delay. In this stage of the quarrel a message from the king required an immediate answer from the commons whether they would, or would not, proceed to the question of supply. The rest of that day, and the whole of the next was spent by them in close and vehement debate: on the morning of the third he sent for them to the upper house, and having first commended the dutiful behaviour of the lords, dissolved the parliament.[83]

April 25.
April 29.
May 1.
May 2.
May 5.

[82] It has been said that the two parties made the trial of their strength by dividing on a motion for a second conference, which was rejected by 257 against 148. But this is a mistake. The journals shew that the motion was for a delay in the prosecution of Dr. Beale, master of St. John's college, Cambridge. Journals, iv. May 1.

[83] Lords' Journals, 63. 67. 73—76. Commons, Ap. 20. 21. 24. 29. May, 3, 4. Laud assures us that the real cause of the dissolu-

CHAP. I.

Riots.

This unexpected event spread a deep gloom over the nation. In London the dissatisfied members of both houses, the enemies of episcopacy, and the advocates of republicanism, (we now meet with the latter for the first time,)[81] crowded to the lodgings of the Scottish commissioners, and communicated to them their readiness to make common cause with the covenanters in the support of their rights and liberties. The lower classes indulged more openly in expressions of discontent and threats of vengeance. Strafford, who now ruled in the council, incurred his share of the public odium, but the resentment of the populace was chiefly pointed against the archbishop of Canterbury: placards, posted on the royal exchange, and other places, called on the apprentices to meet in St. George's Fields, "to hunt William the fox, the breaker of the "parliament;" and though the train bands kept the peace during the day, 500 rioters at night attempted to force their way into his palace at Lambeth. They demolished the windows, but at the end of two hours were repulsed with fire-arms. Charles resolved to

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tion was the report made to the council by sir Henry Vane, that the lower house was resolved to vote no money which might be employed against the Scots. The question was therefore put, and every counsellor, with the exception of the two earls of Northumberland and Holland, advised an immediate dissolution. Laud's Troubles, 78.

[81] Whitelock, 32.

punish the ringleaders; but most of those who had been apprehended were released by their accomplices, and one only suffered the punishment of the law, who had been wounded and taken during the assault. He died not as a felon but as a traitor: for the judges, following the precedent set them in the reign of Elizabeth, had pronounced the offence to be that of levying war against the king, because the rioters marched in martial array to the sound of a drum.[85]

Convocation.

Contrary to ancient custom, the convocation continued to sit after the dissolution of parliament, and proceeded rapidly in the task assigned to it by Charles and the archbishop, the enactment of such new constitutions as were suited to the temper and the circumstances of the times. It was ordered that every clergyman, once in each quarter of the year, should instruct his parishioners in the divine right of kings, and the damnable sin of resistance to authority: several canons were added of the most intolerant tendency against the catholics, socinians, and separatists; an oath of adhesion to the doctrine and government of the church of England against all popish tenets and presbyterian discipline, was appointed to be taken by every clergyman and

[85] Whitelock, 33. Laud's Diary, 58. His Troubles, 79. Rush. ii. 1173—1179.

CHAP. I.

graduate in the two universities,[86] and a declaration was issued respecting the lawfulness of the ceremonies used in the public service. These canons, amounting to seventeen, gave birth to an acrimonious controversy. The legality of the commission granted by the king had already been questioned by the commons: and the continuance of the session after the dissolution, though approved by the judges, was by many considered contrary to law. The new canons, which on account of the succeeding troubles could not be carried into execution, served to increase the clamour against the arbitrary designs of the court; and the only advantage which Charles obtained from this unusual proceeding, was a grant from the clergy of six subsidies each of four shillings in the pound.[87]

Scottish parliament. June 11.

The time for the meeting of the Scottish parliament approached. A second prorogation by the king was eluded under the pretence of an informality in the warrant: the members took their seats; they passed all the acts which

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[86] Many exceptions were taken to this oath, particularly to that clause which stated that the government of the church resided in archbishops, bishops, deans, archdeacons, &c. How, it was asked, could any man swear to an et cetera? The king ordered the archbishop not to enforce it. Rush. ii. 1205—1209. Nalson, i. 496—500. Hard. pap. ii. 151.

[87] This grant was perfectly legal, but wanting the confirmation of parliament, could only be levied by ecclesiastical penalties. See Wilkin's Con. iv. 538—553. Nalson, i. 351—376.

CHAP. I.

had been prepared before the prorogation, voted a tax for the support of the war of ten per cent. on the rents of land, and five per cent. on the interest of money; and appointed a military council, one half of which was to reside permanently in Edinburgh, the other half to follow the motions of the army. It was in vain that Charles warned them of the treasonable tendency of such proceedings, and that he released Loudon, and sent him to Scotland under an engagement to further his interests; the covenanters were not to be diverted from their purpose, and though for want of the royal assent they could not give to their votes the denomination of laws, they imparted to them equal force by entering into bonds, which obliged the subscribers to carry them into execution.[88]

June 26.

Warlike preparations.

The king had originally proposed to assail his opponents from three different quarters at the same time, with 20,000 men from England under his own command, with 10,000 from Ireland under the guidance of the lord-lieutenant, and with an equal number from the

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[88] Nalson, i. 502—508. Rush. ii. 1210. Balfour, ii. 373—379. These acts, says Balfour, caused "the reall grattest change at one "blow, that ever hapned to this church and staite these 600 years. "It overturned not onlie the ancient state government, but fettered "monarchie with chynes, and sett new limits and marcks to the "same, bezond which it was not legally to proceide."

CHAP. I.

highlands led by the marquess of Hamilton. But this magnificent plan was defeated by his poverty, and the decision of the covenanters. He dared not commence his levies till he had the prospect of funds for their support: on the dissolution of parliament the lords, according to their promise, relieved his wants by a voluntary loan of £200,000, and immediately writs were issued to each county to supply a certain proportion of men. But in some instances the commissioners neglected their duty; in others the recruits mutinied, murdered their officers, rifled the churches, and lived at free quarters on the inhabitants. In Scotland, on the contrary, the covenanters met with unanimity and enthusiasm. They had been careful to keep in full pay the officers whom in the last campaign they had invited from Germany: the men, who had been disbanded after the pacification of Berwick, cheerfully returned to their colours; and many individuals, on the security of noblemen and merchants, sent their plate to the mint that they might supply money for the weekly pay of the soldiers. When Charles commenced his preparations, his enemies were ready to act. Lesley collected his army at Dunse: during three weeks the men were daily trained to martial exercises, and encouraged by sermons and prayers; and on the 20th of August

he crossed the Tweed with 23,000 infantry, and 3000 cavalry.[89] At the same time a declaration was published, that the Scots were called to this expedition by the same divine providence which had hitherto guided their steps; that they marched not against the people of England, but against the Canterburian faction of papists, atheists, arminians, and prelates: that God and their conscience bore them testimony that their object was the peace of both kingdoms by punishing the troublers of Israel, the fire-brands of hell, the Korahs, the Balaams, the Doegs, the Rabshakahs, the Hamans, the Tobiahs, and Sanballats of the times, after which they would return with satisfaction and pride to their native country.[90]

Scots pass the Tyne.

The lord Conway had arrived in Northumberland to take the command with the rank of general of the horse. He dared not oppose an inferior and undisciplined force to the ad-

[89] I have not mentioned the letter said to have been forged by lord Saville, and sent to the Scots, inviting them to enter England in the names of the earls of Bedford, Warwick, and Essex, and the lords Mandeville, Say and Seale, and Brooke, and of Henry Darley. The assertion rests on very questionable authority: but that they were encouraged to pass the borders by the advice of their English friends, cannot be doubted. "The earls of Essex, Bedford, Holland, the lord "Say, Hampden, Pym, and diversother lords and gentlemen of great "interest and quality, were deep in with them." Whitelock, 32. See also the Hardwicke papers, ii. 187. Nalson, i. 508. Sydney papers, ii. 660.

[90] Rushworth, ii. 1226. Nalson, i. 412.

CHAP. I.

vance of the enemy: but received a peremptory order from the earl of Strafford, the commander-in-chief under the king,[91] to dispute the passage of the Tyne. The works which he hastily erected in Stella-haugh were demolished by the Scottish artillery: a division led by Lesley's guard passed at Newburn ford, and was speedily driven back into the river by a charge of six troops of horse: but these in their turn were checked by the fire

Aug. 28.

from a battery: the Scots a second time formed on the right bank, and the whole English army retired, the horse towards Durham, the infantry, 4000 in number, to Newcastle. Thence they hastened by forced marches to the borders of Yorkshire, and the two northern counties remained in the undisputed possession of the conquerors.[92]

Negociation.

Here the leaders of the Scots began to hesitate.[93] The road to the northern metro-

[91] The earl of Northumberland had been named to the command: but he was, as appears from his letters, ill-affected to the cause, and therefore declined the office under pretence of indisposition. Strafforde succeeded him. Warwick, 147.

[92] Compare Conway's narrative (Dalrymple, ii. 82—107.) and Vane's letter, (Hardwicke papers, ii. 163.) with the account in Guthry, (p. 82.) and in Rushworth, (ii. 1237.) and the official dispatch in Baillie, i. 211. Had they not succeeded in passing the river, and obtaining possession of Newcastle, they were in hazard of being compelled to disband through want of provisions, (Baillie, i. 207.) and the desertion of their followers in whole companies. Balfour, ii. 380. Such as were discovered were brought back, and every tenth man was hanged. Ibid.

[93] Baillie's remark is characteristic of the man: "We knew not

CHAP. I.

polis lay open before them, but the cries of enthusiasm were checked by the suggestions of prudence. It was not their interest to awaken the jealousy, to arouse the spirit of the English nation, and they wisely resolved, surrounded as they were with the splendour of victory, to humble themselves in the guise of petitioners at the feet of the sovereign. Charles, on the other hand, was harassed with feelings of shame and disappointment for the past, and with the most gloomy anticipations of the future. He saw himself, indeed, at the head of 20,000 men, with sixty pieces of cannon: but their attachment was doubtful, their inexperience certain: and, though Strafford affected to speak in public with contempt of the enemy, he assured the king in private that two months must elapse before his army could be in a condition to take the field.[94] Under

Sep. 4.

"what to do next: yet this is no new thing to us: for many a time "from the beginning, we have been at a nonplus, but God helped "us ever." 204.

[94] Hume represents him as advising the king "to put all to the "hazard: to attack the Scots, and bring the affair to a quick decision. "To shew how easy this would be, he ordered an assault on "some quarters of the Scots, and gained an advantage over them." The whole of this is fiction. It is certain both from lord Conway (Dalrymple, ii. 93.) and the minutes of the council of peers, (Hardwicke papers, ii. 211.) that he dissuaded the king from fighting. The assault to which the historian alludes, was made by the Scots under sir A. Douglas, who, without orders, plundered the house of Mr. Pudsey, on the right bank of the Tees, and was taken prisoner by sir John Digby, with thirty-six of his men, having lost twenty-

CHAP. I.

these circumstances, the wish of the covenanters, intimated through the earl of Laneric, the Scottish secretary, was graciously received; the king, that he might gain time, required to be put in possession of their demands; and on the return of their answer promised to lay it before the great council of English peers, which he had summoned to meet him at York on the 24th of September.

Sep. 5.

Great council of peers.

Some centuries had elapsed since England had witnessed such an assembly: but Charles was driven to the most unusual expedients: and as the commons had always proved the more refractory of the two houses, he preferred a meeting of the lords to a full parliament. He could not, however, avert what he so much apprehended. Twelve peers subscribed their names to a petition, stating the grievances of the nation, and pointing out a parliament as the only remedy:[95] this was followed by another, signed by 10,000 inhabitants of London; and his counsellors at York, as well as those in the south, repeatedly conjured him to acquiesce. It cost him a long struggle before he would submit: even after he had formed his resolution, he kept it secret

Sep. 22.

three in the action. See Baillie, i. 209. and secretary Vane's letter in the Hardwicke papers, ii. 183.

[95] See it in the Lords' Journals, iv. 188. subscribed by Rutland, Bedford, Hartford, Essex, Exeter, Warwick, Bolinbrook, Mulgrave, Say, Mandeville, Brook, and Howard.

CHAP. I.

till the lords held their first meeting on the appointed day, when he announced that he had ordered writs to be issued for a new parliament on the 3d of November.

To the great council two questions were submitted, how might the king be enabled to support his army during the next three months? in what manner was he to proceed with the covenanters who had invaded his English dominions? 1°. They sent a deputation of six lords to London, who, on the security of their bonds, raised a loan of £200,000. 2°. They named sixteen peers to proceed to Rippon, and to open a negociation with eight commissioners appointed by the covenanters:[96] but at the very outset a demand was made which startled and perplexed the king and his counsellors. When the Scots first entered England they had displayed the most edifying forbearance. Then the saints deemed it unlawful to plunder any but the idolatrous papists.[97] Their scruples, however, were speedily silenced. The retreat of the royalists placed the counties of Northumberland and Durham at their mercy: and from that moment they

Partial agreement with the Scots. Sep. 24.

Sep. 25.

Oct. 5.

[96] The English commissioners were the earls of Bedford, Hertford, Essex, Salisbury, Warwick, Bristol, Holland, Berkshire, viscount Mandeville, the lords Wharton, Paget, Brooke, Pawlet, Howard, Savile, and Dunsmore: the Scottish, Dunfermline, Loudon, sir Patrick Hepburne, sir William Douglas, Smith, Wedderburne, Henderson, and Johnson.

[97] Hardwicke papers, ii. 158.

CHAP. I.

had exacted a weekly contribution of £5,600 from the inhabitants; had confiscated all the property of the catholics, with the tithes and rents of the clergy; and had taken at discretion coals and forage for their own consumption. But these resources began to fail: and under the pretence that the negociation would prevent them from seeking more abundant quarters, they boldly demanded a monthly subsidy of £40,000.

Treaty transferred to London.

It was plain to the commissioners that the king must ultimately yield: their great object was to reduce the amount, and to modify the manner of payment. By industry and perseverance they overcame every difficulty, and concluded separate bargains, one with the gentlemen of the north, who, on the faith of a solemn promise that they should be reimbursed out of the first supply granted by parliament, consented to raise the weekly sum of £5,600 by county rates on the inhabitants of Northumberland, Cumberland, Westmoreland, and Durham: and another with the Scots, who engaged as long as that subsidy were paid, to abstain from all acts of hostility, and from every species of compulsory demand.[98] The treaty was immediately transferred to London:

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[98] For these transactions consult the letters and minutes in the Hardwicke collection, ii. 163—298. the papers in Rushworth, 1254—1310. and Nalson, i. 447—465.

CHAP. I.

the king and the lords hastened thither that they might arrive in time for the opening of parliament, and the Scottish commissioners followed at their leisure, bringing with them a deputation of the most learned and zealous of their ministers.[99]

[99] Baillie was one of the number. In an entertaining letter to his wife, he gives an account of his journey. "None in our company "held out better than I and my man, and our little noble nags. "From Kilwinning to London, I did not so much as tumble. "This is the fruit of your prayers. We were by the way great "expenses: their inns are like palaces; no marvel they extortion "their guests." 216.

CHAP. II.

CHARLES I.

PROCEEDINGS IN PARLIAMENT—IMPEACHMENTS OF STRAFFORD AND LAUD—VOTE AGAINST THE LEGISLATIVE AND JUDICIAL POWERS OF BISHOPS—TRIAL AND EXECUTION OF STRAFFORD—TRIENNIAL PARLIAMENTS—THE KING HOLDS A PARLIAMENT IN SCOTLAND—REBELLION IN IRELAND—REMONSTRANCE OF THE COMMONS—PROTEST AND IMPEACHMENT OF TWELVE BISHOPS—KING IMPEACHES SIX MEMBERS—BISHOPS DEPRIVED OF SEATS IN PARLIAMENT—PROGRESS OF THE REBELLION IN IRELAND—KING RETIRES TO YORK—HE IS REFUSED ENTRANCE INTO HULL—THE HOUSES LEVY AN ARMY—CHARLES SETS UP HIS STANDARD AT NOTTINGHAM.

CHAP. II.

Opening of parliament.

CHARLES met his parliament with the most lively apprehensions. He felt the dependent situation to which the late occurrences had reduced him: he saw the lives of his advisers and the prerogatives of his crown lying at the mercy of the two houses; and he recollected the talents, the violence, and the pertinacity which had hitherto distinguished his opponents of the country party. The terrors of his counsellors added to his distress. He shunned the

public gaze, and, instead of opening the session with the usual pomp, proceeded to Westminster by water. His speech from the throne was short but conciliatory. Three subjects he recommended to the attention of the two houses, the removal of the rebels, the payment of the army, and the redress of grievances. But the word "rebels" gave offence: he condescended to apologize. Such in his opinion was the appropriate term for subjects in arms against their sovereign, but they were also his subjects of Scotland, and he had already given them that denomination under the great seal.[1]

State of parties.

For the office of speaker in the lower house the king had fixed on Gardiner, recorder of London; but Gardiner lost his election; and in his place was chosen Lenthal, a barrister of reputation, but without energy, and without experience. The returns proved that, notwithstanding every exertion on the part of the ministers, the king could not command the votes of one third of the members. The task of leading the opposition was assumed by Pym, Hampden, and St. John; of whom the first claimed the distinction as due to his services in former parliaments, the other two had earned it by their courage and perseverance in the celebrated case of the ship money. They were ably supported by the abilities of Denzil Hol-

[1] Baillie, i. 218. Nalson, i. 481.

CHAP. II.

lis, second son to the earl of Clare, and formerly one of the prosecutors of Buckingham, of Nathaniel Fiennes, second son to the lord Say, and sir Henry Vane, son to the secretary, both enthusiasts in religion as well as politics;[2] and of the lords Falkland and Digby, Hyde, Selden, Rudyard, and several others, men of the most distinguished talents, and anxious by the redress of grievances to effect a thorough reformation in the disorders of the state. All these were at first bound together by one common object: but insensibly their union was dissolved by difference of opinion on subjects of the first importance; some adhered to the monarch through all his difficulties, others persuaded themselves that liberty could be secured only by the establishment of a commonwealth.

Among the lords the king could reckon a greater number of friends. All the bishops, and one half of the temporal peers owed their honours to him or to his father. But the former were silent through fear: and the others suffered their gratitude to be overbalanced by policy, or patriotism, or resentment. The

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[2] Vane was a young man of four-and-twenty, the disciple of Pym and sir Nathaniel Rich, of considerable talents and equal fanaticism. At the age of twenty, that he might enjoy the liberty of receiving the sacrament standing, instead of kneeling, he repaired to New England in America; but returned in the course of a year, and by the interest of his father, obtained a seat in parliament. Strafford papers, i. 463.

earls of Bedford and Essex, the lords Say and Kimbolton took the lead: their opinions were echoed and supported by the earls of Warwick and Hertford, and the lords Brook, Wharton, Paget, and Howard; and the friends of the king, awed by the combination which existed between them and the ruling party in the other house, instead of a manly resistance, tamely acquiesced in measures fraught with danger both to the crown and to themselves.

The distress of the country, the attacks which had been made on its liberties, and the dangers which threatened its religion, furnished the orators in both houses with ample scope for lamentation and invective; and their complaints, printed and distributed through the nation, were quickly echoed back in petitions subscribed by many thousands from every county, and from the more opulent boroughs. Supported by the voice of the people, the commons neglected the royal recommendation, divided themselves into committees and sub-committees, and for several months devoted their attention to three great subjects, the investigation of abuses, the adoption of remedies, and the punishment of delinquents.

Proceedings of the commons.

1°. The catholics, according to custom, were the first to feel their enmity. The cry that religion was in danger from the machinations of popery, was revived. That no fear could be more groundless, is certain: but in times of

CHAP. II.

general ferment the public credulity readily accepts of assertions in place of proofs, of appearances instead of realities. It was complained that the king had compounded with the recusants; that he had discharged some priests before trial, and others after conviction; that an agent from Rome resided near the queen; that the more opulent catholics had, at the request of that princess, subscribed £10,000 in aid of the northern expedition; that catholics held commissions in the English army; and that they composed the force which Strafford had levied in Ireland. Charles, harassed with petitions to relieve his protestant subjects from their terrors, gave orders that all catholics should quit the court, and be expelled from the army; that the houses of recusants should be searched for arms; and that their priests should be banished from the realm within thirty days.[3]

[3] Journals, Nov. 9. 23. 30. Dec. 3. 7. 24. Feb. 11. 26. Mar. 15. 25. Ap. 27. May 7. I may here relate a singular occurrence respecting Goodman, a priest, who had received judgment of death for having taken orders in the church of Rome. The commons prevailed on the lords to join in a petition for his execution. Charles replied, that he would banish or imprison him for life, but that he did not wish to shed blood for the sole cause of religion. They renewed the petition: the king returned for answer, that he left the case in their hands; they might act as they thought proper; but at the same time he sent them a petition which he had received from Goodman, in the following words: "These are humbly to beseech "your majesty, rather to remit your petitioner to their mercy, than "to let him live the subject of so great discontent in your people "against your majesty.....This is, most sacred sovereign, the "petition of him who would esteem his blood well shed to ce-

But he laboured in vain to appease that jealousy which it was the policy of his opponents to irritate: and the charge of encouraging popery was so confidently and incessantly urged against the monarch, that at length it obtained credit with the majority of his subjects.

2°. The commons undertook "to purge the "church." On the petition of the sufferers and their friends, they restored to their livings all such clergymen, as had been deprived on the ground of non-conformity by the bishops or by the court of high commission. On the other hand they called to the bar of the house all ministers denounced as scandalous; under which epithet were comprised two classes of men, those who had disgraced themselves by public immorality, and those who had incurred the charge of superstition by their zeal to enforce the observance of the ceremonies. Both met with different degrees of punishment ac-

"ment the breach between your majesty and your subjects on this "occasion. Ita testor. John Goodman." From that moment, whether they were moved by the magnanimous sentiments of the prisoner, or unwilling to entail on themselves the responsibility which they wished to fix on the sovereign, they desisted from the pursuit of Goodman's life, who remained unnoticed within the walls of Newgate till his death, in 1645. Baillie gives a very improbable reason for their interference: that they meant to deny the king's power to pardon during the session of parliament, and feared that, if it were admitted in the case of Goodman, it might form a precedent for that of Strafford. See Journals of Commons, Jan. 23. 25. 27. Of Lords, 140. 141. 142. 146. 150. 151. Nalson, i. 738. Baillie, i. 238.

CHAP. II.

cording to the temper of the house: some were reprimanded by the speaker, some thrown into prison, and others bound to good behaviour.[4]

3°. In like manner they revised those proceedings in the star-chamber, which had given offence by their severity. Prynne, Burton, and Bastwick, were recalled from their several places of confinement, that they might pursue their own cause in person. They entered London on different days in triumphant procession, attended by hundreds of carriages, and thousands of horsemen, amidst multitudes on foot, all wearing bay and rosemary in their hats. Their sentences were reversed, and damages to the amount of £5000 were awarded to each against his judges.[5]

4°. Both houses concurred in pronouncing the commissions for the levy of ship money, and all the proceedings consequent on those commissions, to be illegal. The commons resolved that the earl marshal's court, and that of the council at York, were grievances; appointed committees to inquire into the origin and constitution of the stannary court, and that of the marshes of Wales; to ascertain the legality or illegality of enforcing escuage, and exacting fines for neglect to receive the order of knighthood; and to investigate the conduct of all the

[4] Journals, Dec. 19. March 20. June 1.

[5] Ibid. Dec. 7. 9. 30. Feb. 22. 25. March 2. 12. 24. April 20. May 20. Baillie. i. 222.

lords lieutenants, and their officers, who had levied coat and conduct money during the late expedition.[6]

Impeachments.

5°. Among the king's advisers there was no man more feared for his abilities, more hated for his advocacy of despotism, than the earl of Strafford, "the great apostate," as he was termed, "from the cause of the people." His friends wished him to decline the approaching storm, either by remaining in Yorkshire at the head of the army, or by repairing to his government of Ireland. But to a man of his stern and fearless mind, such counsel savoured of cowardice: and, when the king, assuring him of protection, requested his presence, he lost not a moment in repairing to the metropolis. His unexpected arrival surprised and disconcerted his enemies, who knew his influence over the judgment of their sovereign, and who feared that he might anticipate the charge against himself, by accusing them of a treasonable correspondence with the Scots. A day was spent in arranging their plan: the next morning the commons debated with closed doors; and, when these were opened, the majority of the members proceeded to the bar of the lords, where Pym, in their name, impeached the earl of Strafford of high treason. That

Of Strafford.

Nov. 11.

[6] Ibid. Nov. 23. 24. 27. Dec. 7. 19. 23. 24. Mar. 20. May 13. 14. July 1. 14. Lords' Journals, iv. 136. 156. 173.

CHAP. II.

nobleman was, at the moment, in close consultation with the king: he hastened to the house, and was proceeding to his place, when a number of voices called on him to withdraw. On his re-admission he was ordered to kneel at the bar, and was informed by the lord keeper, that in consequence of the impeachment by commons, the house had ordered him into the custody of the black rod, till he should clear himself from the charge. He began to speak, but was immediately silenced, and departed in the charge of Maxwell, the usher.[7]

Winde-bank.

The next minister doomed to feel the severity of the lower house was secretary Windebank. In the execution of his office he had signed several warrants for the protection of recusants, and others for the discharge of priests from prison. In all these instances he had acted by the order of the king, and, for greater security, had obtained a pardon under the royal signature. Charles, however, was unwilling to have his name implicated in the question: nor were the patriots eager to shed the blood of the secretary. He availed himself of their

Dec. 4.

delay in the prosecution of the case, obtained

[7] See Baillie, 217. and the Lords' Journals, 88. 89. This was only a general charge, without specifying any particular: it was not till the 24th that the house could agree on the several articles. Journals, Nov. 11. 24. Yet Strafford had no right to complain; he had formerly advised a similar proceeding against the duke of Buckingham. Warwick's memoirs, 111.

CHAP. II.

a passport from the king, and saved his head by a timely flight into France.[8]

Laud.

To prepare the way for the impeachment of archbishop Laud, the commons resolved, that the convocation had no authority to bind either laity or clergy without the consent of parliament; that the benevolence which it had lately granted to the king was illegal; that the constitutions which had been enacted, were prejudicial to the authority of the crown, to the rights of parliament, and to the liberties of the subject; and that an inquiry should be instituted into the conduct of the metropolitan, who was supposed to be the real author not only of these measures, but of other attempts to subvert the laws and religion of the nation. Two days later Hollis charged him at the bar of the upper house with the crime of high treason. He rose with his usual warmth, protested his innocence, and was proceeding to arraign the conduct of his accusers, when the earl of Essex and the lord Say sharply called him to order; and the house, refusing to hear his explanation, placed him under the custody of the black rod.

Dec. 15.

Dec. 16.

Dec. 18.

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[8] Journals of Commons, 26. 33. 44. 45. See his letters in Prynne's Hidden Works. "Neverthelesse rather than his majesty "or his affairs should suffer, I desire the whole burden may be laid "upon me: and though I have his majesty's hand for most of them, "and his commandment for all, yet I will rather perish than pro- "duce them, either to his prejudice, or without his permission." From Calais, Dec. 6. p. 127.

CHAP. II.

Six weeks later the archbishop was transferred to the Tower.[9]

Finch.

Finch, the lord keeper, who, when he was chief justice, had distinguished himself by the zeal with which he contended for the legality of ship-money, was previously admonished by

Dec. 21.

the resolutions of the two houses of the fate which he had to expect. He solicited permission to plead his cause before the commons; and his eloquence and tears awakened the compassion of many among the members: but such feelings were condemned as a criminal weakness by the more sturdy patriots; and Finch the same afternoon was impeached before the lords of high treason. But he had already absconded: no trace of his retreat could be discovered; and in a few days it was understood that he had sought and obtained an asylum in Holland. That his brethren, the other judges, who had concurred with him in opinion, might not imitate him in his flight, each was bound, at the request of the commons, to make his appearance when called upon, in the sum of £10,000.[10]

Treaty with the Scots.

The king, though the prerogatives which he considered the firmest supports of his throne, were crumbling beneath him, though his friends and advisers were harassed with im-

[9] Journals of Commons, 51. 54. Of Lords, 112 Laud' Troubles, 75.

[10] Journals of Commons, 55. Of Lords, 114. 115.

peachments, fines, imprisonment and death, appeared to make no effort in his own favour, but to resign himself with indifference to his fate. The fact was, that he felt unequal to a contest with the two nations at the same time, and waited impatiently for the moment, when the conclusion of the treaty, and the disbanding of the Scottish army, would permit him to reassume the ascendency. The commissioners from the tables had been received as friends and deliverers by the leaders of the country party. The strictest union was quickly cemented between them: both professed to believe that their cause was the same, that they must stand or fall together; and, while the patriots engaged to support the Scottish army during its stay, and to supply it with a handsome gratuity at its departure, the covenanters stipulated to prolong the treaty, and to detain their forces in England, till the projected reform in church and state should be fully accomplished.[11]

Charles, in his eagerness to conclude the negociation, was induced to concede many points, which he would otherwise have refused.

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[11] This is plain from almost every page of Baillie's correspondence during the six months that the negociation continued. When they came in February to the last demand, Baillie writes, "this we will "make long or short, according as the necessities of our good friends "in England require: for they are still in that fray, that if we and "our army were gone, they yet were undone." p. 240.

CHAP. II.

To the three first demands of the Scots, that the acts of their late parliament should be confirmed, that natives alone should be appointed to the government of the royal castles, and that their countrymen should not be harassed either in England or Ireland with unusual oaths,[12] after a few objections, he consented: but he made a resolute stand against the fourth, that the punishment of the incendiaries should be left to the discretion of the two parliaments. It was, he argued, to require that he should dishonour himself. Those, whom *they* called incendiaries were men who had incurred their displeasure by obeying *his* commands, and whom on that account he was bound to protect. He pleaded particularly in favour of Traquaire, and claimed the right of judging that nobleman himself, because he had acted as royal commissioner. But Traquaire, falling on his knees, earnestly prayed that the life of an humble individual like himself might not stand in the way of a reconciliation between the king and his people: the Scots threatened to solicit the advice and interposition of the English parliament; and Charles, though it evidently cost him a painful struggle, signified

[12] Strafford had compelled the Scots in Ireland to take an oath of allegiance, by which they renounced all contrary covenants, and promised never to enter into any covenant against any other person without the king's authority. See it in Rushworth, viii. 494.

CHAP. II.

his acquiescence. Their next claim, the restoration of captured ships and merchandize, was quickly adjusted: and that of indemnification as a pecuniary question, the king referred to the house of commons, who voted two sums, one of £125,000 for the charges of the Scottish army during five months, and another of £300,000 under the denomination of "a friendly "relief for the losses and necessities of their "brethren of Scotland."[13] At length the commissioners came to their last demand, the establishment of a solid peace between the two nations. The king anticipated a speedy conclusion of this most vexatious treaty, but he soon found himself disappointed. Under this head they presented to him only two articles, reserving to themselves a discretionary power of adding others, when, and in what manner they might deem expedient.[14]

1641. Feb. 3.

Feb. 20.

Bill against bishops.

It soon appeared that the Scottish deputies acted not only in a political, but also a religious character. While they openly negociated with the king, they were secretly but actively intriguing with their friends of the country party, to procure in England the abolition of the

[13] "£300,000 sterling," exclaims Baillie, "5,400,000 merks Scots, "is a pretty sum in our land." Baillie, i. 240.

[14] Journals, Jan. 22. Feb. 3. Lords' journals, iv. 151. Baillie, i. 221. 223. 228. 333. 240. "It was not (to give in all the propositions "at once) possible for us, nor conducive for the ends of the English, "who required no such haste." Ibid. 243.

CHAP. II.

episcopal, and the substitution of the presbyterian, form of church government. This they seemed to consider as the chief object of their mission, and this they pursued with the most edifying perseverance and industry. But it was a question on which great latitude of opinion prevailed. In the city the presbyterians composed a very considerable party: but among the reformers in parliament there were many who, willing as they might be to reduce the wealth, the power, and the jurisdiction of the bishops, resolutely opposed the extinction of the order; while others, under the banners of the lords Say, Wharton, and Brook, looked with equal abhorrence on episcopacy and presbyterianism, and laboured to introduce the more equal system of the independents. The Scots, however, with the aid of their English friends, procured petitions to be presented from several of the counties, from 15,000 inhabitants of the metropolis, and from 1800 ministers, all praying for the total abolition of the hierarchy. They were strenuously opposed by the lords Digby and Falkland, by Selden and Rudyard; but after a debate of two days, and a division in which the anti-episcopalians obtained a majority of thirty-two, the petitions were referred to a committee.[15] This success,

Vote of the commons. Dec. 18. 1641. Jan. 23.

Feb. 9.

[15] "They contested on together from eight in the morning to six "at night. All that night our party solicited as hard as they could.

CHAP. II.

though it encouraged their hopes, was far from assuring them of the victory. The king informed the parliament that his conscience would never allow him to assent to the destruction of an order, which he deemed essential to christianity: while the Scots on the contrary reasoned and solicited, prayed and preached, in favour of the presbyterian kirk. Curiosity and devotion led numbers to their service: the church allotted for their use was crowded from morning to night; and the lessons inculcated by their divines were zealously diffused by the auditory throughout the city. They were taught that the "knot of the question could only be cut by the axe of prayer;" and fasts were solemnly observed by the godly, that "the Lord might join the breath of his "nostrils with the endeavours of weak men, "to blow up a wicked and anti-scriptural "church."[16]

The marquess of Hamilton had suggested to Charles the policy of disarming the hostility of the reformers, by admitting them to his councils. The king heard him with expressions of anger: but the desire to save the lives of his friends, and to retain episcopacy in the church,

"To-morrow some thousands of the citizens, but in a very peaceable way, came down to Westminster Hall to countenance their "petition." Baillie, 244.

[16] Baillie, 220. 224. 227. 230. 231. 236. 244. 250. Journals of Commons, 72. 81. 101.

CHAP. II.

subdued his repugnance: and Bristol, Essex, Bedford, Hertford, Mandeville, Savile, and Say, were by his command sworn of the privy
Feb. 27. council. At first the appointment gave general satisfaction: in a few days it was remarked that the language of the new counsellors had become more courtly, their zeal less bitter. They were charged with apostacy: the suspicion was extended to the Scottish commissioners; and the city rung with complaints against the selfishness and perfidy of public men. In their own defence, the Scots published a most intemperate paper against Strafford, and Laud, and the whole bench of bishops. It offended not only the king, but their own friends in both houses: it was taken as an attempt on their part to dictate to the parliament of England. They had again recourse to fasting and prayer, and printed an explanation of their sentiments in more conciliatory language; but they had already lost so many votes, that their allies in the lower house dared not, as had been intended, to bring forward a motion for the abolition
Mar. 10. of episcopacy. In its place was substituted a resolution that "the legislative and judicial "powers of the bishops in the house of lords "were a hindrance to the discharge of their "functions, prejudicial to the commonwealth, "and fit to be taken away." The friends of episcopacy, who had determined to confine their efforts to the preservation of the order,

CHAP. II.

did not object; and its enemies, content with this advantage, suspended their hostility till the fate of Strafford should be determined.[17]

Trial of Strafford.

That unfortunate statesman had to contend singly with a multitude of foes. The population of the three kingdoms was arrayed against him. The Scottish commissioners pronounced him an incendiary, and loudly called for the blood of the man, who had urged their king to make war on his faithful subjects. The Irish parliament had proved its dissatisfaction from the moment he ceased to awe it by his presence. Last year the commons had torn from their journals the eulogium which they formerly voted on his administration; and, by cutting down the subsidies to their original amount, had prevented the Irish expedition from sailing in aid of the English army. Now they sent deputies to present to the king a remonstrance, detailing under sixteen heads the grievances which they suffered from the despotism of the lord lieutenant, and at the same time solicited the English house of commons to join with

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[17] Journals, March 10. Dalrymple ii. 115. 116. Baillie, 247—249. 255. His observation on this disappointment is amusing. "We were fallen half asleep in a deep security.....By this blast "God weakened us. We fled to our wonted refuge, to draw near "to God. The godly in the city, in divers private societies, ran "to fasting and prayer. By these, our old and best weapons, we "are beginning to prevail. Blest be his holy name." p. 249.

CHAP. II.

theirs in procuring justice for an oppressed and impoverished people.[18] But the severest blow which he received, was an order made by the lords, and admitted by the king, that the privy counsellors should be examined upon oath, respecting the advice given by Strafford at the board; a precedent of lasting prejudice to the royal interest: for who after this would give his opinion freely, when he knew that such opinion might be made the matter of impeachment against him at the pleasure of his enemies?

Westminster hall had been fitted up for the trial. On each side of the lords sat the commons on elevated benches as a committee of their house, and near them the Scottish commissioners with the Irish deputies, the bearers of the remonstrance. Two private boxes behind the throne were prepared for the accommodation of the king and queen. Near them a gallery had been erected, which was daily crowded with ladies of the first quality. They paid high prices for admission: many took notes; and all appeared to watch the proceedings with the most intense interest. A bar,

[18] Carte's Ormond, i. 109—115. Journals, Nov. 30. Rushworth, iv. 53. 67. This has often been described as a petition from the Irish parliament: but in the journals it is denominated "the petition "of several knights, citizens, and burgesses of the commons house "of parliament in Ireland, *whose names are underwritten.*"

stretching across the hall, left one third for the use of the public.[19]

Each morning at nine the prisoner was introduced. He made three obeisances to the earl of Arundel, the high steward, knelt at the bar, then rose, and bowed to the lords on his right and left, of whom a part only returned the compliment. The managers, thirteen in number, opened the proceedings with a speech relative to some particular charge: their witnesses were examined and cross-examined upon oath; and the court adjourned for thirty minutes, that Strafford might have time to advise with his counsel, who sat behind him. When the court resumed, Strafford spoke in his own defence, and produced his witnesses, who, however, according to the practice of the age, were not examined upon oath. The managers then spoke to evidence, and the prisoner was remanded to the Tower.[20]

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[19] Rushworth, viii. pref. Baillie, i. 257. Whitelock, 41.

[20] Principal Baillie has given an interesting account of the trial in his letters to the presbytery of Irvine. "Westminster hall," he informs them, "is a room as long (and) as broad, if not more, than "the outer house of the high church at Glasgow, supposing the "pillars were removed. . . We always behoved to be there a "little after five in the morning. The house was daily full before "seven. The tirlies that made them (the king and queen) to be "secret, the king brake down with his own hands; so they sat in "the eyes of all, but little more regarded than if they had been "absent. . . It was daily the most glorious assembly the isle "could afford; yet the gravity not such as I expected. . . After "ten much public eating, not only of confections, but of flesh and

CHAP. II.

Charges made against him. Mar. 23.

Thus the proceedings were conducted during thirteen days. The articles against him amounted to eight-and-twenty, three of which charged him with treason, the others with acts and words, which, though perhaps not treasonable separately, might in the aggregate be called accumulative treason; because they proved in him a fixed endeavour to subvert the liberties of the country. The former stated, that in Ireland he had billetted soldiers on peaceable inhabitants, till he compelled them to submit to his illegal commands: that he had raised an army in Ireland, and advised the king to employ it in bringing *this* kingdom into subjection; and that of his own authority he had imposed a tax on the people of Yorkshire for the maintenance of the trained bands. The latter accused him of hasty, imperious, and unjustifiable expressions indicative of his temper and views, and of illegal proceedings by some of which he benefited his own fortune, by others he had injured the king's subjects in their liberties and property. Strafford replied with a temper and eloquence, which extorted praise even from his adversaries. To some of the charges he opposed warrants from the king, some he peremptorily denied, and others he

"bread, bottles of beer and wine going thick from mouth to mouth "without cups, and all this in the king's eye. . . There was no "outgoing to return; and oft the sitting was till two, three, or four "o'clock at night. p. 257—259.

sought to elude, by urging in his own favour the constant practice of the deputies who preceded him in Ireland. Against the new principle of accumulative treason he protested with spirit, ridiculing with felicity the arguments in its support, and appealing for protection to the statute law, the safeguard to preserve the liberties, and the beacon to guide the conduct of the subject.

The lords favourable to him.

As the trial proceeded, whether it were owing to his eloquence, or the violence of his prosecutors, or his frequent appeals to the pity of the audience, it was plain that the number of his friends daily increased. The ladies in the galleries had long ago proclaimed themselves his advocates: on the thirteenth day it appeared that the lords, who had formerly treated him so harshly, were won over to his cause. At the very commencement of the prosecution, sir Henry Vane, the younger, had purloined from the cabinet of his father, the secretary, a very important document, containing short notes taken by that minister of a debate at the council table, on the morning of the day on which the last parliament was dissolved. In it Strafford was made to say, "Your majesty having tried the affection of "your people, are absolved and loosed from "all rule of government, and to do what power "will admit. Having tried all ways, and being "refused, you shall be acquitted before God

CHAP. II.

" and man: and *you have an army in Ireland,* " *that you may employ to reduce this kingdom* " *to obedience:* for I am confident that the " Scots cannot hold out five months." Vane communicated the discovery to Pym: the contents of the paper were moulded into the form of a charge, though the source from which the information had been derived, was carefully concealed: and to procure evidence in its support, each of the privy counsellors was examined, not only by written interrogatories, but also viva voce before the committee of impeachment. Of the most important passage, the advice to employ the Irish army " to reduce this " kingdom," that is, the kingdom of England, all of them knew nothing: even the secretary himself on the first examination, replied that " he could not charge Strafford with that," and on the second, that "he could say nothing to " that:" but before the third, it is probable that his memory had been aided by the inspection of a copy taken by Pym:[21] for he then recollected the very words, and deposed that they
April 5. were uttered by the lord lieutenant.[22] At the trial itself he repeated the same evidence, but knew not whether by "this kingdom" was meant England or Scotland; and in opposition to him Strafford produced all the members of the coun-

[21] The original had been burnt with other papers respecting the last parliament. Baillie, 288. Clarendon, i. 230.

[22] Rushworth, viii. 52.

CHAP. II.

cil, excepting Windebank, an exile in France, and Laud, a prisoner in the Tower, who declared that they had no recollection of the words, that the debate regarded the means of reducing Scotland not England, and that they never heard the slightest hint of employing the Irish army any where but in the former kingdom. It was evident that in this charge the managers had failed: they determined as their only resource, to bring forward the notes themselves; and with this view, on the morning on which the prisoner was to enter on the recapitulation of his defence, they demanded leave to produce additional evidence. The lords adjourned twice to their own house; they required the advice of the judges, and, after a long debate, resolved, with only one dissenting voice, that whatever favour were granted to the accusers, the same should be extended to the accused. This answer was received with a deep murmur of disapprobation. Suddenly was heard a cry of "withdraw, withdraw:" and the commons, hastily retiring to their own house, deliberated with closed doors.[23]

April 10.

[23] Baillie, i. 288. 289. Rushworth, viii. 552—571. Clarendon, i. 229. Lords' Journals, 207. Nalson, ii. 206. State Trials, iii. 1158. Cobb. Parl. Hist. ii. 744. While Whitelock was chairman of the committee, this important paper had disappeared. Every member solemnly protested that he did not take it away, nor know what had become of it. Copies, however, were given to the king and to Strafford. That in the possession of Charles was afterwards found to be in the hand-writing of lord Digby, whence it was inferred that he was the thief. Certainly the proof is not conclusive. Whitelock, 43. 44.

CHAP. II.

The commons pass a bill of attainder.

It is singular that these ardent champions in the cause of freedom should have selected for their pattern the most arbitrary of our monarchs, Henry VIII. But they had previously resolved, on the first appearance of an unfavourable disposition in the lords, to abandon the way of impeachment, and to proceed by that of attainder.[24] Pym now, for the first time, read the notes of the secretary to the house; and a bill to attaint the earl of Strafford, for endeavouring to subvert the liberties of the country, was introduced. It met with strong opposition in in every stage, particularly from lord Digby, son to the earl of Bristol, one of the most eloquent, and hitherto most popular members.[25] But it was not in his power to stem the torrent: on the eleventh day the bill was read a third time and passed; and the next morning the names of fifty-four members, who had the courage to vote against it, were placarded in the streets, under the designation of "Straffor-" dians, who, to save a traitor, were willing to " betray their country."

April 12.

April 21.

In the mean time the lords proceeded, as if they were ignorant of the bill pending in the lower house. Strafford made his defence before them. He repeated in short the observa-

Strafford's defence.

[24] Wariston, in his letter of Ap. 2, says "if they see that the king " gains many of the upper house not to condemn him, they will " make a bill of teinture." Dalrymple, ii. 117.

[25] See his speech in Rushworth, viii. 50—53. Nalson, ii. 157—160. It is, I think, decisive on this charge.

tions which he had previously made; contended that nothing objected to him could amount to the crime of treason, and derided the new notion of accumulative treason, as if entity could be produced from the aggregation of non-entities. In conclusion he appealed to his peers in these words. "My lords, it is my present "misfortune, it may hereafter be yours. Ex- "cept your lordships provide for it, the shed- "ding of my blood, will make way for the "shedding of yours: you, your estates, your "posterities be at stake. If such learned gen- "tlemen as these, whose tongues are well "acquainted with such proceedings, shall be "started out against you: if your friends, your "counsel, shall be denied access to you; if your "professed enemies shall be admitted witnesses "against you; if every word, intention, or cir- "cumstance, be sifted and alleged as treasonable, "not because of any statute, but because of a "consequence or construction pieced up in a "high rhetorical strain, I leave it to your lord- "ships' consideration to foresee what may be the "issue of such a dangerous and recent precedent.

"These gentlemen tell me, they speak in "defence of the commonwealth against my "arbitrary laws; give me leave to say it, I "speak in defence of the commonwealth against "their arbitrary treason. This, my lords, re- "gards you and your posterity. For myself, "were it not for your interest, and for the in-

CHAP. II.

" terest of a saint in heaven, who hath left me " here two pledges upon earth:" (at these words his breath appeared to stop, and tears ran down his cheeks: but, after a pause he resumed:) " were it not for this, I should never " take the pains to keep up this ruinous cot- " tage of mine. I could never leave the world " at a fitter time, when I hope the better part " of the world think that by this my misfor- " tune, I have given testimony of my integrity " to my God, my king, and my country. My " lords! something more I had to say, but my " voice and my spirits fail me. Only in all " submission I crave, that I may be a pharos to " keep you from shipwreck. Do not put rocks " in your way, which no prudence, no circum- " spection, can eschew. Whatever your judg- " ment may be, shall be righteous in my eyes. " In te Domine, (looking towards heaven) " confido: non confundar in æternum." [26]

The king, as soon as the bill of attainder

[26] State Trials, 1462—1469. " At the end he made such a pathetic oration for half an hour as ever comedian did on the stage. " The matter and expression was exceeding brave. Doubtless if he " had grace and civil goodness, he is a most eloquent man. One " passage is most spoken of: his breaking off in weeping and silence, " when he spoke of his first wife. Some took it for a true defect in " his memory; others for a notable part of his rhetoric: some that " true grief and remorse at that remembrance had stopt his mouth; " for they say that his first lady being with child, and finding one " of his mistress's letters, brought it to him, and chiding him there- " fore, he struck her on the breast, whereof she shortly died." Baillie, 291.

CHAP. II.

The king's efforts to save him.

passed the lower house, was careful to console his friend with the assurance that, though he might deem it expedient to make some sacrifice to the violence of the times, he would never consent that one, who had served the crown with such fidelity, should suffer in his life, or fortune, or honours. Perhaps, when he made this promise, he relied on his own constancy, perhaps on the success of some one of the projects in which he was engaged. 1°. It had been suggested to him to reinforce the garrison in the Tower, by the introduction of a company of 100 trusty soldiers, which would give to him the command of that fortress: or to order the removal of Strafford to another prison, so that he might be rescued on the way. But Balfour the lieutenant was true to the cause of his countrymen. He refused obedience to the royal warrant, and spurned the offer made to him by his prisoner, of a bribe of £22,000, and a desirable match for his daughter. 2°. The preference which the commons had shewn for the Scottish army, their care to supply the invaders with money, while the pay of the English force in Yorkshire was allowed to accumulate in arrear, had created jealousy and discontent in the latter. Hence occasion was taken to sound the disposition of the officers, and to propose several plans, by which the army might be brought into the neighbourhood of the capital, to

CHAP. II.

overawe the parliament, and to give the ascendency to the royalists. That the king was privy and assenting to these projects, is certain: they were defeated by the disagreements among the officers, and the resentment of colonel Goring, who had aspired to the rank of a principal commander, and who, to gratify his disappointed ambition, betrayed the substance of the project to the earl of Newport, by whom it was revealed to the leaders of the party.[27] 3°. The king had offered to leave the disposal of all the great offices of state to the earl of Bedford, in return for the life of Strafford. The condition was accepted: and that nobleman communicated it to his friends, who, with the exception of the earl of Essex, cheerfully acquiesced. Unfortunately, in the course of a few days Bedford died; and the lord Say was employed in his place. By the advice of

May 1.

this new counsellor, Charles sent for the two houses, and informed them in a short speech, that had they proceeded according to law, he would have allowed the law to have its course: but, by adopting the way of attainder they had forced him to act in quality of a judge.

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[27] Whitelock, 46. Nalson, ii. 272. Warwick, 178. See the evidence in Rushworth, iv. 252—257. and Husband's Collection, 1643. It is difficult to arrive at the real history of the intrigue, as all the witnesses evidently strive to secure themselves from blame both with the king and the parliament. It was suspected as early as the third of March. Dalrymple, ii. 114. 119.

CHAP. II.

He would therefore tell them, that neither Strafford, nor any other of his counsellors had ever advised him to employ the Irish army in England, or to alter the laws of the kingdom, or to look upon his English subjects as disloyal or disaffected. With this knowledge it was impossible that he should condemn the earl of treason, or pass the bill of attainder, if it were presented to him for his assent. That Strafford had been guilty of misdemeanors, was evident; and he was willing to punish him by exclusion from office during his life: but further he could not go: wherefore he conjured the lords to discover some middle way, by which they might satisfy public justice, without offering violence to the conscience of their sovereign.[28]

This well-meant but ill-timed speech sealed the doom of the unfortunate prisoner. The commons resented it as a most flagrant violation of the privileges of parliament: the ministers employed the following day (it was the Sabbath) in stimulating from the pulpit May 2. the passions and fanaticism of their hearers; and on the Monday crowds of men were seen May 3. in every direction crying out, "justice, jus-" tice," and declaring that they would have the head of Strafford, or of the king. They

[28] Journals, 231, 232. Rushworth, viii. 734. Laud's Troubles, 176.

CHAP. II.

paraded before Whitehall: they proceeded to Westminster, and, taking post in the palace yard, insulted and menaced every member, who was supposed to be friendly to the object of their vengeance. Pym seized the opportunity to detail and exaggerate to the house the dangers of the country, the real or imaginary plots to bring forward the army, to gain possession of the Tower, and to procure aid from France; and while their minds were agitated with terror and resentment, proposed, in imitation of the Scottish covenant, a protestation, by which they bound themselves to defend their religion against popery, their liberties against despotism, and their king against the enemies of the nation. It was taken with enthusiasm, and transmitted to the lords, who ordered it to be subscribed by every member of their house. The intelligence was communicated by Dr. Burgess, a favourite preacher, to the populace, who expressed their satisfaction by cheers, and at his command, peaceably withdrew to their habitations.[29]

Protestation of the houses.

These manœuvres produced the intended effect. The catholic peers were excluded from their seats by the order to take the protestation:[30] the avowed friends of the lord

[29] Journals of Lords, 232. Of Commons, May 3.

[30] As soon, however, as the attainder had passed, leave was given for the catholic lords to take the civil part of the protestation, omitting that which concerned religion. Lords' Journals, iv. 243.

lieutenant were kept away by the threats of the rioters; and the fate of the prisoner was left to the decision of a thin house, in which the opponents of the court formed the majority. They first voted that the fifteenth and nineteenth articles had been proved, by which he was charged with having quartered soldiers on the peaceable inhabitants without lawful cause, and with having of his own authority imposed an illegal oath on all the Scots dwelling in Ireland. The judges, in answer to a question from the house, pronounced that for such offences "he deserved to undergo the pains "and forfeitures of treason:" and the bill was passed by a majority of twenty-seven voices to nineteen. A deputation waited on the king to solicit his assent in the name of both houses, and returned with a promise that it should be given on the following Monday.[31]

Bill passed. May 8.

Strafford had already written to Charles a most eloquent and affecting letter. He again

Strafford's letter to the king. May 4.

[31] The original passage has been erased from the Lords' Journals: but Whitelock, who could not be ignorant, as he was one of the managers, informs us that the articles found to be proved were the fifteenth and nineteenth, (Whitelock, 45.) Radcliffe says that the fifteenth, the twenty-third, respecting the advice to employ the Irish army in England, and perhaps one more were voted to be proved, but as his memory might be deceived, he refers to the journals. He adds that the numbers on the division were twenty-two against sixteen. (Strafford papers, ii. 432.) But whatever the articles were, the bill was passed in the same shape in which it came from the commons. See it in Rushworth, viii. 756.

CHAP. II.

asserted his innocence of the capital charge, and appealed to the knowledge of the king for the proof of his assertion: still he was ready, he was anxious to sacrifice his life as the price of reconciliation between the sovereign and his people. He would, therefore, set the royal conscience at liberty by soliciting him to give his assent to the bill of attainder. "My consent, Sir," he proceeded, "shall "more acquit you herein to God, than all the "world can do besides. To a willing man "there is no injury done: and, as by God's "grace, I forgive all the world, so, Sir, to you "I can give the life of this world with all the "cheerfulness imaginable, in the just acknow-"ledgment of your exceeding favours; and "only beg that in your goodness you would "vouchsafe to cast your gracious regard upon "my poor son and his three sisters, less or "more, and no otherwise than as their unfor-"tunate father may appear hereafter more or "less guilty of this death." It may, however, be questioned, whether he really felt the magnanimous sentiments which he so forcibly expressed. He knew that, within three months a similar offer had saved the life of Goodman; and, when he heard that the king had complied with his request, he is said to have started with surprise from his chair, exclaiming, "Put not your trust in princes, nor in the

CHAP. II.

"sons of men, for in them there is no salva-
"tion."[32]

Distress of Charles.

The king passed the Sunday in a state of the most poignant distress. Which was he to do, to break his word to the two houses, or to make himself accessary to the murder of a faithful servant? In this dilemma he sent for the judges, and inquired the grounds of the answer given by them to the lords; he sent for the bishops, and exposed to them the misgivings of his own conscience. One, Juxon of London, advised him not to shed the blood of a man, whom he believed to be innocent: Williams, and with him were three others, replied, that whatever might be his individual opinion as Charles Stuart, he was bound in his political capacity as king, to concur with the two houses of parliament. At the same time he was reminded of the dangers which threatened both himself and his family; that the public mind in the capital was kept in a state of alarming agitation; that reports of plots the most improbable were circulated and believed; and that a refusal on his part would infallibly provoke a tumult, the consequence of which could not be contemplated without horror. Late in the evening he yielded, and

May 9.

He yields.

[32] Rushworth, viii. 743.

CHAP. II.

Death of Strafford.

subscribed with tears a commission to give his assent to the bill.[33]

May 11.

As a last effort to save the life of a servant whom he so highly prized, Charles descended from his throne, and appeared before his subjects in the guise of a suppliant. By the hands of the young prince of Wales, he sent a letter to the lords, requesting that, for his sake, the two houses would be willing that he should commute the punishment of death into that of perpetual imprisonment. But the vultures that thirsted for the blood of Strafford, were inexorable: they even refused the king's request for a reprieve till Saturday, that the earl might have time to settle his temporal affairs.[34] The next morning the unfortunate

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[33] Strafford papers, ii. 432. Clarendon, i. 257. Laud's Troubles, 177.

[34] Lords' Journals, iv. 245. Burnet tells us from Hollis, whose sister Strafford had married, that he advised the following plan to save the earl's life. That Strafford should petition for a short respite to settle his affairs, the king with the petition in his hand should solicit the houses to be content with a minor punishment, and Hollis should persuade his friends to accede to the proposal, on the ground that Strafford would revert to his first principles, and become wholly theirs. The queen, however, being told that Strafford would in that case accuse her, advised her husband to send the letter, "which "would have done as well," had she not persuaded him to add the postcript, "if he must die, it were charity to reprieve him till Sa- "turday;" which, he observes, was a very unhandsome giving up of the whole message. Burnet's own times, 32. This is told very incorrectly. That Strafford petitioned for a respite till Saturday, and that Hollis promised him his life, if he would employ his credit

nobleman was led to execution. He had requested archbishop Laud, also a prisoner in the Tower, to impart to him his blessing from the window of his cell. The prelate appeared: he raised his hand, but grief prevented his utterance, and he fell senseless on the floor. On the scaffold, the earl behaved with composure and dignity. He expressed his satisfaction that the king did not think him deserving so severe a punishment; protested before God that he was not guilty, as far as he could understand, of the great crime laid to his charge, and declared that he forgave all his enemies, not merely in words, but from his heart. At the first stroke his head was severed from the body. The spectators, said to have amounted to one hundred thousand persons, behaved with decency: but in the evening the people displayed their joy by bonfires, and

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with the king to procure the abolition of episcopacy, we learn from Laud: but he adds, on the authority of the earl's assertion to archbishop Usher, that Strafford refused the condition. Laud's Troubles, 177. Neither did the king give up the request by the conditional postcript: for the same condition runs through the whole letter: "if "it may be done without discontentment to my people"—"if no "less than death can satisfy my people, fiat justitia." Journals, 245. The fact was, as Essex told Hyde, no minor punishment would satisfy the earl's enemies, who were persuaded that, if his life should be spared, the king would, at the conclusion of the parliament, grant him a pardon, and place him again over their heads. His death was their security. Clarendon, i. 242.

CHAP. II.

demolished the windows of those who refused to concur.[35]

Strafford's guilt.

Thus, after a long struggle, perished the earl of Strafford, the most able and devoted champion of the claims of the crown, and the most active and formidable enemy to the liberties of the people. By nature he was stern and imperious, choleric and vindictive. In authority he indulged these passions without regard to the provisions of the law, or the forms of justice; and from the moment that he attached himself to the court, he laboured (his own letters prove it) to exalt the power of the throne on the ruin of those rights, of which he once had been the most strenuous advocate. As president of the north, he first displayed his temper and pretensions: in Ireland he trampled with greater freedom on the liberties of the people; and after the rupture with the Scots, he ceased not to inculcate in the council, that the king had a right to take what the parliament had undutifully refused to grant. Yet numerous and acknowledged as his offences were, the propriety of his punishment has been justly questioned. His friends maintained that, where the penalties are so severe, the nature of the offence ought to be clearly defined, to enable the subject to know

[35] Different copies of his speech may be seen in Somers' Tracts, iv. 254—265.

and eschew the danger; that Strafford could not possibly suspect that he was committing treason, while he acted after ancient precedents, and on the recent decision of the judges in the case of ship-money; that the doctrine of constructive and accumulative treason, on which the commons relied, was new and unknown to the law; that it was unjust in his prosecutors, after they had impeached him before the lords, to interrupt the trial, because they anticipated his acquittal; and that the introduction of the bill of attainder, the employment of force to intimidate the lords, and the indirect means adopted to extort the assent of the king, sufficiently proved that vengeance as much as justice was the object of his adversaries. On their side it has been contended, that the man who seeks to subvert the national liberties is not to escape with impunity, because his offence has not been accurately described in the statute book; that the case, whenever it occurs, is one which ought to be submitted to the decision of the whole legislature; that no danger to the subject can be apprehended from such proceeding, because the ordinary courts of law do not make to themselves precedents from the conduct of parliament; and that the attainder of Strafford was necessary, to deter subsequent ministers from imitating his example. Perhaps it may be difficult to decide between these con-

CHAP. II.

flicting arguments: but to me there appears little doubt that, in a well regulated state, it is better to allow to offenders any benefit which they may derive from the deficiency of the law than to bring them to punishment by a departure from the sacred forms of justice.

More impeachments.

The commons, however, were not satisfied with the blood of Strafford. They announced their intention of proceeding with the charge against archbishop Laud, and impeached six of the judges of treason or misdemeanors. Wren, bishop of Ely, of an attempt to subvert religion by the introduction of superstition and idolatry, and thirteen of the prelates of illegal proceedings in the late convocation. But though they threatened, they were slow to strike. Their attention was distracted by a multiplicity of business, and their progress was arrested at each step by the intervention of new subjects of debate. The issue of several of these prosecutions will be noticed at a later period.

Queen's terrors.

But a more exalted personage than any of these, the queen herself, began to tremble for her safety. She was a catholic; she had been educated in the court of a despotic monarch; and she was known to possess the attachment and confidence of her husband,—circumstances, any one of them, sufficient to excite the jealousy of the patriots, and to expose the princess to the misrepresentations of men who, with all their pretensions to religion, sedulously practised

CHAP. II.

the doctrine, that the end sanctifies the means.[36] They described her to the people as the head of a faction whose object it was to establish despotism and popery: and tales were daily circulated, and defamatory libels published, in proof of that pernicious influence which she was supposed to exercise over the uxorious mind of her husband. It is indeed true, that, since the death of Buckingham, Charles had refused to have any other favourite than his wife; that he confided to her his cares, and fears, and designs; that he wished those who solicited favours to employ her mediation, that she might have the merit of serving them; and that he occasionally transmitted, through her agency, orders to his confidental friends. But the sequel of this history will demonstrate that she had not his judgment in her keeping: there were many points on which he required her to submit implicitly to his pleasure; and when once he had taken his resolution, it was not in her power,

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[36] Clarendon, in his character of lord Digby, mentions "the foul "arts they could give themselves leave to use, to compass any thing "they proposed to do; as in truth their method was first to con- "sider what was necessary to be done for some public end, and "which might reasonably be wished for that public end, and then "to make no scruple of doing any thing which might probably bring "the other to pass, let it be of what nature it would, and never so "much concern the honour or interest of any person, who they "thought did not, or would not favour their design." Clarendon papers, iii. Supplement, liii. Clarendon was an adversary, but his assertion seems to be fully supported by the facts.

CHAP. II.

by reasoning or importunity, to divert him from his purpose.[37] Her mother, driven from France by the enmity of Richelieu, had found, during the two last years, an asylum in England, but the unpopularity of her daughter extended itself to the fugitive: she solicited a guard to protect her from the insults of the mob, and Charles persuaded her to return to the continent. Henrietta, terrified by the threats of her enemies, announced her intention of accompanying her mother, but the commons interposed; at their solicitation the lords joined in a petition requesting her to remain; and the queen, in a gracious speech pronounced in English, not only gave her assent, but expressed her readiness to make every sacrifice that might be agreeable to the nation.[38]

July 17.

Jealousy between the houses.

Hitherto on most subjects, the two houses had cheerfully concurred. Both had voted that the court of presidency of York was contrary to law; that the convocation had no power to make regulations binding either clergy or laity, without the consent of parliament, and that bishops and clergymen ought not to hold secular offices, or be judges or magistrates; they had passed several bills successively, giving tonnage and poundage to the crown, but only for short periods, that the repetition of the

[37] See instances of this in his letters to her from Newcastle, in the Clarendon papers, ii. 295. et seq.

[38] Journals, iv. 314. 317.

grant might more forcibly establish their right, and others abolishing the courts of star chamber and high commission, forbidding the levy of ship-money, taking away all vexatious proceedings respecting knighthood, and establishing the boundaries of the royal forests; they had, moreover, obtained the king's assent to two most important acts,—one appointing triennial parliaments to be holden of course, and even without the royal summons, and another investing themselves with paramount authority, since it prohibited the dissolution, prorogation, or adjournment of the present parliament, without the previous consent of the two houses. But the pretensions set up, and the power exercised, by the commons, began to provoke the jealousy of the lords. Many of the latter professed a determination to withstand every additional attempt to subvert the ancient constitution of the legislature, or the undoubted rights of the crown; and the king, that he might gain the services, or at least mollify the opposition of the leading peers, gave the several offices of governor to the prince, lord chamberlain, lieutenant of Ireland, and master of the wards, to the earls of Hertford, Essex, Leicester, and the lord Say. A new spirit seemed to be infused into the upper house, which without hesitation, successively rejected two bills sent from the lower house, one to exclude the

June 8.

July 29.

CHAP. II.

bishops from their seats, and the other purporting "to provide security for true religion.[39]

These symptoms of misunderstanding between the lords and commons awakened the most pleasing anticipations in the mind of the king, who still cherished the hope of being able to give the law to his opponents, and with this view sought once more to interest the army in his quarrel. With his approbation, and under his signature, the form of a petition, to be subscribed by the officers, was forwarded to sir Jacob Ashley, who acted in place of the earl of Holland, the commander-in-chief of the forces in Yorkshire. It stated the many and valuable concessions which the king had made to his people, adverted to the riotous assemblages which had lately attempted to control both the sovereign and the two houses, and prayed permission that the army might march to London for the purpose of protecting the royal person and the

[39] Journals, iv. 257. 269. 273. 281. 286. 298. 311. 333. 349. 357. To pay the English and Scottish armies, a poll tax was voted in which dukes were rated at 100*l.* marquisses at 80*l.* earls at 60*l.* viscounts and barons, at 50*l.* baronets and knights of the bath at 30*l.* knights at 20*l.* esquires at 10*l.* gentlemen of 100*l.* per annum at 5*l.* and recusants to pay double: the scale descended through every rank and profession, to each person above sixteen years of age and not receiving alms. For these the lowest rate was sixpence. Somers' tracts, iv. 299. This tax raised 157,061*l.* 16*s.* 11¾*d.* Ibid. p. 383. The reader is aware that in ancient times the three estates taxed themselves separately, and so much of the old custom was retained, that the lords still appointed receivers for themselves, and for such dowagers as had the privilege of the peerage, 258. 297.

CHAP. II.

parliament. But the vigilance of the patriots detected—their promptitude defeated, the project: and to prevent the recurrence of similar intrigues, they hastened the conclusion of the treaty with the covenanters, and stipulated for the dissolution of both the English and Scottish armies.[40]

King in Scotland.

It had been agreed that the king should be present at the next session of the Scottish parliament; but as the time approached, a sudden alarm seized both the Scottish commissioners in London, and the leaders of the country party. They threw every obstacle in his way; they petitioned him again and again to postpone his journey.[41] It seemed, however, as if the same object which induced them to retard, urged him to hasten his departure. He left London, traversed, without stopping, the quarters of the army in Yorkshire, accepted with apparent cheerfulness an invitation to dine with Lesley at Newcastle, and was received by a deputation from the estates at his entrance into the Scot-

Aug. 14.

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[40] See the examinations of Legge. Ashley, Coniers, Hunks, Lucas, and O'Nial, in Husband's collection and the journals. Lords' journals, 441. Commons' journals, Nov. 17.

[41] Charles left a commission to give the royal assent to *certain* bills, when they should have passed the houses. The commons brought in a bill to extend the powers of the commissioners to *all* the bills which should pass. The lords at their request. sat for this purpose on the Sunday, but they designedly raised so many objections, that it was not ready on the Monday morning, and Charles, refusing to wait any longer, began his journey. Journals, iv. 294. 349—357.

CHAP. II.

tish capital. It was now his policy to ingratiate himself with his northern subjects. He appointed Henderson his head chaplain, listened with patience to the lengthened sermons of the ministers, and attended constantly the service of the kirk. The revenues of the dissolved bishoprics were divided, with the exception of a small portion reserved for the universities of Edinburgh, Glasgow, and Aberdeen, among the leading noblemen. The most valuable branches of the prerogative were successively severed from the throne; even the right of appointing the principal officers of state was, after a short struggle, surrendered.[42] The king's great object in making these concessions, was to obtain security for his friends, whom, under the name of incendiaries, he had been compelled to abandon to the mercy of the estates, and who were threatened by their countrymen with the fate of the earl of Strafford. The leading covenanters expressed a willingness to gratify their sovereign; expedients for an "accommodation" were suggested and discussed, and a successful result was generally anticipated, when the harmony which had hitherto prevailed, was interrupted by an event distinguished in Scottish history by the name of the "Incident."

[42] Charles gave in a list of forty-two councellers and nine officers of state. The names of eight counsellors were erased, and others substituted Of the great officers London, whom Charles had named as treasurer, was made chancellor, and the treasury put into commission. Balfour, 366. 148.

CHAP. II.

The incident.

Though the marquess of Hamilton had long enjoyed the confidence of Charles, and been employed by him in matters of the highest consequence, a suspicion existed that he sought to secure to himself the friendship of the covenanters, by betraying to them the secrets of his sovereign. Long ago an offer had been made to Laud and Strafford to prove his guilt by the testimony of "as good men as were to "be found in Scotland:" but they refused to listen to a project, which, in the result might entail on themselves enmity and disgrace.[43] Montrose, since his defection to the king, had assured him by letter that men were to be found, who, if they were supported by the presence of their sovereign, would not hesitate to make and prove the charge of treason against both Hamilton and Argyle. But his intrigues with the court were either discovered or suspected: and, before the king's arrival in Scotland, Montrose and his associates had been committed as "plotters and banders" to the castle of Edinburgh. It was, however, apparent that Hamilton rapidly declined in the royal favour. One day the lord Kerr sent him, Sep. 29. by the earl of Crawford, a challenge of treason. He appealed to the parliament; an act was passed asserting his innocence; and Kerr was compelled to make an apology and submis-

[43] Warwicke's Memoirs, 140.

CHAP. II.

sion.[44] Yet a fortnight did not elapse before he received information from the lord Amond
Oct. 11. that a plot was in agitation to arrest him, his brother Laneric, and the earl of Argyle, in the palace, and to carry them on board a king's frigate in the Frith, or in case of resistance to deprive them of life. All three hastily took their leave, and fled to Kinneil: their friends fortified their houses; and the citizens paraded the streets during the night. In the morning Charles, with a guard of 500 men, proceeded to the parliament-house, complained of the flight of the three noblemen as an imputation on his character, and demanded with tears a public inquiry into the whole matter. The estates hesitated: he daily repeated his demand; but though the lords seemed to ac-
Oct. 21. quiesce, the commissioners of the shires and burghs obstinately insisted on a private trial before a committee. On the tenth day the king yielded: the inquiry was conducted in secret, and the result seems to have been a de-
Nov. 1. claration on the part of the estates that the three noblemen had sufficient reason for their abrupt departure, and an acknowledgment on their part, that they never entertained any suspicion of the king's justice or goodness, but had fled through fear of the dark machinations of their enemies. They returned to the parlia-

[44] Balfour, iii. 81—86.

ment: Argyle was created a marquess, Loudon and Lindsay were made earls, and Lesley obtained the title of earl of Leven, and the king in return secured the lives of "the incendiaries "and plotters" by an arrangement, which left the trial to a committee of parliament, but reserved the judgment to himself.[45] CHAP. II. Nov. 17.

Before Charles departed from Edinburgh, he received the most alarming intelligence from Dublin. The proceedings of the English parliament, and the success of the Scottish covenanters, had created a deep and general sensation in Ireland. Could that be blameable in Irishmen which was so meritorious in others? Had not they an equal claim to extort the redress of grievances, and to repel religious persecution? These questions were asked in every company: and, in reply, it was observed that new shackles had been forged for the national rights, new dangers prepared for the national faith: that the English parliament had advanced pretensions to legislate for Ireland, Irish rebellion.

[45] On this subject see Balfour, iii. 94—118. 121—125. 127. 130. Hardwicke papers, ii. 299. Evelyn's memoirs, ii. App. 525. 529. Baillie, i. 330—332. Clarendon, i. 298. The real accuser was Montrose, who wrote to the king, and offered the aid of his friends; and the anxiety of Hamilton and Argyle to prevent a public investigation, provokes a suspicion that they feared some unfavourable disclosures. The English privy council having examined the depositions, and three letters in which Hamilton asked pardon, declared that nothing had happened which could throw any imputation on the king's honour. Evelyn, ibid.

CHAP. II.

and that the leaders both in England and Scotland, in all their speeches, publications, and remonstrances, displayed the most hostile feelings towards the catholic worship, and a fixed determination to abolish it, wherever their influence should extend. Why, then, should not Irishmen unite in their own defence? Why not assert their rights and establish their religion, while their enemies were occupied at home by the disputes which divided them and their sovereign?[46]

Among the gentlemen of Kildare was Roger Moore, of Ballynagh, of ancient descent, of insinuating manners, and considerable eloquence. He retained but a scanty portion of that ample domain which had once been the patrimony of his ancestors, but was now parcelled out among English planters: and the hope of recovering that which he believed to have been unjustly torn from his possession, led him into different parts of Ireland, where he exhorted the natives to take up arms, and to vindicate their

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[46] Nalson, 543. Borlase, App. 128. "The Irish," says Laud, "pretended the Scots example, and hoped they should get their "liberties, and the freedom of their religion as well as they." Laud's Troubles, 184. "They demand," says the earl of Clanricarde, "why it might not be more lawful, and much more pardonable, to "enter into a covenant for the preservation of their religion, your "majesty's rights and prerogatives, and the just liberties of the "subject, than for others to enter into one that hath been an occa-"sion to lessen and impair your majesty's lawful power and inte-"rests." Clanricarde, p. 61.

own rights. He had sounded the disposition of the lords of the pale, and from them he proceeded to excite the more inflammable passions of the ancient Irish.

Though the two races were intermixed by marriages, though they professed, in opposition to the law, the same religion, there still remained a marked difference in their habits and feelings, which prevented any cordial co-operation between them. The ancient Irish had suffered more grievous wrongs from the English government by the transfer of their property to foreign planters: the modern, though they complained of fines and inquisitions, had hitherto been treated with greater indulgence. The former longed for the restoration of the catholic church in its ancient splendour: the latter, who had obtained their share of ecclesiastical plunder, felt no desire of a revolution which might compel them to restore their late acquisitions. The one had always been in the habit of seeking the protection of foreign princes, the other had constantly adhered to the sovereign, even in wars against their countrymen of the same religion.[47] Hence the Irish chieftains of Ulster, particularly Cornelius Macguire, baron of Inniskillen, and sir Phelim O'Nial, who, after the death of the son of Tyrone, became chieftain of that powerful sept,

[47] Rinnuccini's Manuscript Narrative, in initio.

CHAP. II.

listened with pleasure to the suggestions of Moore. It was agreed among them to consult their countrymen abroad, and to prepare for a rising in the following autumn.[48]

Its origin.

The gentlemen of the pale adopted a very different plan. By their influence in the two houses they persuaded the Irish to imitate the conduct of the English parliament. Inquiries were instituted into the abuses of government, and commissioners were sent to London to demand from the justice of Charles those graces, the purchase money of which he had received thirteen years before. It was plainly his interest to conciliate his Irish subjects. He gave them a most flattering reception, bestowed particular marks of attention on lord Gormanstown, the head of the deputation, and bade them hope for full redress from his equity and affection. But he had a more important object in view. Strafford had frequently assured him of the devotion and efficiency of the 8,000 men lately raised in Ireland: and Charles, as he foresaw that the quarrel between him and his opponents would ultimately be decided by the sword, had sent private instructions to the earls of Ormond and Antrim to secure them for his service, to augment their number under different pretexts, and to surprise the castle of

[48] Nalson, 544. 555. Carte, iii. 30. Clarendon papers, ii. 69. 80. 134.

Dublin, where they would find arms for 12,000 men. But it was well known that these levies consisted principally of catholics, a circumstance sufficient to provoke the jealousy of the English parliament. The houses petitioned that they should be immediately disbanded. Charles hesitated: they renewed their petition; he acquiesced: but with an order to that effect transmitted a secret message to the two earls, to prevent by some expedient or other the dispersion of the men, which was followed by commissions to several officers to enlist at first one half, afterwards the whole number, for the service of Spain.[49]

Charles, on the eve of his departure for Scotland, had granted the chief requests of the Irish deputation, and signed two bills to be passed into laws, one confirming the possession of all lands which had been held without interruption for sixty years, and another renouncing all claims on the part of the crown, founded on the inquisitions held under the earl of Strafford. Gormanstown and his colleagues acquainted their countrymen with their success, and hastened in triumph to Dublin. But the lords justices Borlase and Parsons, were less the ministers of the king, than the associates of his

[49] See Antrim's information in the Appendix to Clarendon's History of the Irish Rebellion. Lords' Journals, 230. 339. 345. Carte's Ormond, i. 132. iii. 31. 33.

CHAP. II.

opponents. Aware that the passing of these bills would attach the whole population of Ireland to the royal interest, they disappointed the hopes of the deputies by proroguing the parliament a few days before their arrival.[50]

Aug. 7.

Secret intrigue by the king.

Whether Ormond attempted to execute the royal orders is uncertain. Antrim kept his instructions secret, and endeavoured to feel his way through the agency of the officers commissioned to raise soldiers for the Spanish service. These, by their intrigues with the members of the parliament, discovered among them men to whom they might safely reveal the real secret of their mission: that they had come not to take away, but to detain the Irish army in the island. Its services were required by the sovereign. He had received many wrongs from his subjects in England and Scotland: it remained for Irishmen to display their attachment to his person, and by rallying in defence of the throne, to prevent the extirpation of their religion. From the catholics of the pale, they turned to the chieftains of Ulster, whose previous determination to unsheath the sword rendered such exhortations unnecessary. To them the intelligence was a subject of triumph: they approved the design of surprising the castle of Dublin, and promised not only to

[50] Carte's Ormond, iii. 139, 140. Temple, 15. Borlase, 17. Journals of Irish Com. 210. 539. Castlehaven's Memoirs, 40.

co-operate in the attempt, but to attack on the same day most of the English garrisons in the northern counties.

After much private consultation it was determined by Antrim and his confidential friends to postpone the rising to the first day of the meeting of parliament in the month of November, to secure at the same moment the castle and the persons of the lords justices, and to issue a declaration in the name of the two houses, that the Irish people would support the sovereign in the possession of all the legal rights of the throne. But procrastination accorded not with the more sanguine temper of the ancient Irish, whose impatience was stimulated by the exhortations of Moore, and who persuaded themselves that, if they only began, the pale would follow their example. It had been previously understood that the combined attempt should be made on the 5th of October; they now determined to make it themselves on the 23d. On the morning of the 22d, several of the leaders repaired to Dublin: but many were wanting: and of 200 trusty men appointed to surprise the castle, eighty only appeared. They resolved to wait till the next afternoon for the arrival of their associates; and during the night the plot was betrayed by Owen O'Conolly to sir William Parsons. Though the gates of the city were instantly closed, the chief of the conspirators, with the exception of

Sep. 26.

Oct. 23.

Plot discovered.

CHAP. II.

lord Macguire and Macmahon, made their escape.[51]

Rebels in Ulster.

Their associates in Ulster, ignorant of the discovery of the plot, rose on the appointed day. Charlemont and Dungannon were surprised by sir Phelim O'Nial at the head of his sept: Mountjoy by O'Quin, Tanderage by O'Hanlan, and Newry by Macginnis. In the course of the week all the open country in Tyrone, Monaghan, Longford, Leitrim, Fermanagh, Cavan, Donnegal, Derry, and part of Down, was in their possession. The natives of the other planted counties soon followed the example: and by degrees the spirit of insubordination and revolt insinuated itself into the most loyal and peaceable districts. Still the insurgents were no more than tumultuary bodies of robbers, for the most part unarmed, who rose in a mass, plundered some neighbouring plantation, and returned home to the division of the spoil. Whenever they were met by men in arms, they shrunk from the contest, or paid dearly for their temerity. No quarter was given by their enemies: and sir Phelim O'Nial suffered during the month of November several severe losses.[52]

[51] See, for most of these particulars, Macguire's relation in Borlase. App. 9. and Nalson, 543—555. He may perhaps conceal some things, but I have no doubt of his accuracy as far as he goes. What he relates respecting the intrigues of the officers, strongly confirms the information of lord Antrim. Consult also the letter of the lords justices, and Conolly's testimony in the Lords' Journals, 412—416.

[52] See the letters in Carte's Ormond, iii. 38, 39, 40. 44, "The

Whether it was that the lords justices felt themselves unequal to the station which they held, or that they allowed the insurrection to grow, for the sake of the forfeitures which must follow its suppression, their conduct displayed no energy against the rebels, and little commiseration for the sufferings of the loyalists. They dispatched information to the king and the lord lieutenant, fortified the city of Dublin, and, secure within its walls, awaited the arrival of succours from England. In the mean time the open country was abandoned to the mercy of the insurgents, who mindful of their own wrongs and those of their fathers, burst into the English plantations, seized the arms and the property of the inhabitants, and restored the lands to the former proprietors or to their descendants. The fugitives with their families sought in crowds an asylum in the nearest garrisons, where they languished under that accumulation of miseries, which such a state of sudden destitution must invariably produce.[53]

"like war was never heard of. No man makes head; one parish "robs another, go home and share the goods, and there is an end of "it; and this by a company of naked rogues." Ibid 47. Also, Clanricarde's Memoirs, 6. 35, 36. 38.

[53] "The planted country of Leitrim are all in combustion, and "have taken all the towns but three strong places. They have set "up O'Bourke, being formerly O'Bourke's country." Clanricarde, 17. "There being no nobleman of the kingdom in action, nor any "gentleman of quality of English extraction, and many of the an-"cient Irish still firm, yet such is the strange distrust and jealousy

CHAP. II.

Their apology.

In defence of their proceedings the rebel chieftains published a declaration, that they had taken up arms in support of the royal prerogative, and for the safety of their religion against the machinations of a party in the English parliament, which had invaded the rights of the crown, intercepted the graces granted by the king to his Irish subjects, and solicited subscriptions in Ireland to a petition for the total extirpation of the protestant episcopacy and of the catholic worship. At the same time, to animate and multiply their adherents, they exhibited a forged commission from the king, authorizing them to have resource to arms, and a letter from Scotland, announcing the speedy arrival of an army of covenanters, with the bible in one hand and the sword in the other, to proselytise or destroy the idolatrous papists of Ireland.[54]

Charles returns to London.

Charles, having communicated this intelligence to the Scottish parliament, and appoint-

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" of this time, and the dilatory proceedings thereupon, that we are " all like to be destroyed by loose desperate people, having not any " manner of defence allowed us, and many possest with such " panic fears that strong places are quitted without any resistance." " p. 29. See Note (A) at the end of the volume.

[54] Nalson, ii. 555. 557. The pretended commission is in Rushworth, iv. 400. Its authenticity has been denied by the friends, and affirmed by the enemies, of Charles. I have no hesitation in pronouncing it a forgery. It was never appealed to by the rebels in any of their remonstrances, or apologies, and contained clauses which never could have been authorized by the king; as, for example, a warrant to the catholics to arrest and seize the goods, estates, and persons of all English protestants.

ed the earl of Ormond commander of the forces in Ireland, repaired to England. On his entry into the capital, he was met by the lord mayor, the sheriffs, and the principal citizens in procession; and having dined in public in the Guildhall, was hailed, as he retired to his palace, with the loud congratulations of the spectators. This burst of loyalty taught him to augur well of the attachment of his subjects, and to bear with greater fortitude the new mortifications which had been prepared for him by his opponents in parliament. They had of late observed an alarming defection from the number of their supporters, and saw that moderate men, satisfied with the sacrifices already made by the king, began to deprecate any further encroachment on the royal authority. On the other hand, the incident in Scotland, the secret advices from their commissioners in that kingdom, and the knowledge that Charles had acquired information respecting their clandestine practices with the invading army, convinced them that they had gone too far to expect forgiveness, and that additional security was necessary to preserve them from the vengeance of the offended monarch. To create a strong sensation, and prepare the public mind for their next demands, they resolved to present to the king a remonstrance on the state of the nation. It commenced by asserting the existence of a coalition of jesuited papists,

The remonstrance.

CHAP. II.

bishops, corrupt clergymen, and interested courtiers, whose common object it was to subvert the liberties of England: then followed a long enumeration of every real or imaginary grievance, which had excited complaint since the death of James: to this succeeded a catalogue of the several remedies which had been already provided, or were yet contemplated, by the wisdom of parliament, and the whole concluded with a complaint that the efforts of the commons were generally rendered fruitless by the intrigues of the malignant faction which surrounded the throne, and the combination of the popish lords with ill-affected bishops, who formed so powerful a party in the upper house. This remonstrance met with the most spirited opposition: nor was it carried till after a debate of twelve hours, and then by a majority of eleven voices only. But the patriots were careful to pursue their victory. An order was

Dec. 1.

made that no correction should be presented to the king on his return, and another that it should be printed for the edification of the people. Charles, though offended, was not surprised at the asperity of its language, or the groundlessness of its assumptions: but he felt the publication as an insult of a new order, an appeal from the equity of the sovereign to the passions of the subject, and he declared in a temperate but eloquent answer from the pen of Hyde, that he had never refused the royal as-

CHAP. II.

sent to any one bill presented to him for the redress of grievances; and that as he had secured for the present, so he would maintain for the future, the just rights of all his subjects. Evil counsellors he had no wish to protect; but the choice of his ministers was a right that he would not resign. If there were persons who desired to lessen his reputation and authority, and to introduce the evils of anarchy and confusion, he trusted in God with the help of his parliament to confound their designs, and to bring them to punishment.[55]

Proceedings of Parliament.

The rebellion in Ireland furnished the zealots with a plausible pretext for indulging in invectives, and displaying their animosity against the professors of the ancient worship.[56] In September commissioners had been appointed to disarm the recusants in every part of the kingdom: now the commons denounced to the peers seventy catholic lords and gentlemen as dangerous persons, who ought to be confined in close custody for the safety of the state. The queen's confessor was sent to the Tower, and the establishment for the service of her

[55] Rushworth, iv. 436, 452. Journals, Nov. 22. Dec. 2, 3. Clarendon, i. 310—335, 336.

[56] On the credit of Beale, a tailor, who pretended to have heard some unknown persons conversing behind a hedge, the commons gravely affected to believe that more than a hundred members were marked out as victims to be slain by popish assassins. Journals, Dec. 16, 17. 26, 27. Of Lords, 439. Evelyn's Memoirs, ii. App. 73.

CHAP. II.

chapel dissolved: pursuivants were appointed by the authority of the lower house, with powers to apprehend priests and jesuits: orders were issued for the immediate trial of all such prisoners: the king was importuned not to grant them pardons or reprieves:[57] and a

Dec. 1. resolution was passed by both houses never to consent to the toleration of the catholic worship in Ireland, or in any other part of his majesty's dominions.[58] Charles gently chided their violence: they were making the war in Ireland, a war of religion: let them rather provide supplies of men and money for the protection of the royalists, and the defence of his crown. But to this there was an insurmountable obstacle. The country party had determined to possess themselves of the command of the army, and the king was resolved not to part with that which now seemed the last support of his throne. Before his arrival the houses had appointed a council of war, had commissioned the earl of Leicester to raise men for the service in Ireland, and had given their approbation to the officers whom he proposed to em-

Dec. 3. ploy. To hasten the levy the commons passed

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[57] If the reader wishes to see the pertinacity with which they sought the death of seven catholic priests, he may consult the Journals, Dec. 8. 11. 13, 14, 15. 31. Mar. 21. Ap. 9. Lords' Journals, 472. 476. 479. 501.

[58] Journals, 473. 476. 480. Commons, Dec. 8. Rushworth, iv. 445.

CHAP. II.

a bill for the pressing of soldiers: and at the same time complained in a conference of the slowness of the proceedings in the other house. They argued that the lords were only private individuals, while the commons were the representatives of the nation: and declared that, if the former refused to pass the bills, which were necessary for the public safety, they, taking with them such peers as did not shrink from the performance of their duty, would represent the matter to the sovereign. This menace made little impression: the lords objected to the declaratory clause, which denied to the king a right enjoyed by all his predecessors, but Charles unadvisedly interfered, and assured the houses that he would pass the bill, if a proviso were added saving his claim, and the liberties of his people. Had the proposal come as an amendment from one of the ministers, no objection could have been made; but the personal interference of the sovereign during the progress of a bill, was undoubtedly informal, and both houses remonstrated against it as an infringement of the privileges of parliament.[59] Dec. 14. Dec. 16.

I should only fatigue the patience of the reader, were I to detail the minor causes of dissension which sprung up in quick succession

[59] Commons' Journals, Dec. 3. 16. Lords' Journals, 476. Clarendon, ii. 325.

CHAP. II.

between the king and his opponents, or to inquire who were the original aggressors in the quarrels which daily occurred between their respective partisans. Mobs of armed men paraded the streets, for the avowed purpose of protecting the parliament, and many officers and gentlemen spontaneously assembled at Whitehall, to defend the king and the royal family from insult. The two parties frequently came into contact with each other: and though no lives were lost, the most irritating language, and sometimes blows were exchanged.[60]

Commitment of twelve bishops.

The remonstrance had pointed the fury of the populace against the bishops, who, on one occasion, were so alarmed by the cries which they heard in the palace yard, that they shut themselves up in the house, till the darkness of

Dec. 27.

the night enabled them to steal away to their respective homes. The next day Williams, who had made his peace with the king, and had been preferred to the archbishopric of York, prevailed on eleven other prelates to join him in a declaration, which was delivered

Dec. 29.

by the lord keeper to the upper house. It stated that the bishops could no longer, without danger to their lives, attend their duty in parliament, and that they therefore protested against the validity of any votes or resolutions

[60] Rushworth, iv. 463. Clarendon, i, 356. 371, 372. Warwick, 186.

of the house during their absence. This extraordinary announcement was heard with surprise and indignation. To retire or to remain was at their option: but to claim the power of suspending by their absence the proceedings of parliament, was deemed by their adversaries an assumption of sovereign authority. The commons, after a debate with closed doors, impeached the twelve prelates of high treason. Williams boldly professed his readiness to meet the charge: the others, intimidated by the violence of the times, apologized for their conduct. Ten were committed to the Tower, two, the bishops of Durham and Lichfield, on account of their age and infirmity, to the usher of the black rod.[61] Dec. 30.

Six members impeached by the king.

Before the surprise excited by this unexpected event had worn away, the public mind was agitated by another and still more extraordinary proceeding. Some hints had been dropped by the patriots of an impeachment of the queen: the information, probably through

[61] Lords' Journals, 496—499. Commons' Journals, Dec. 30. Rushworth, iv. 466. Clarendon, i, 350. Thirteen bishops had been already (Aug. 13.) impeached of high crimes and misdemeanours, on account of the canons framed in the last convocation, (Lords' Journals, 363.); but as they were admitted to bail, they still retained their seats. Those who were impeached for the protest were the prelates of York, Durham, Norwich, Gloucester, Lichfield, St. Asaph, Bath and Wells, Oxford, Hereford, Ely, Peterborough, and Llandaff. By sending them to the Tower, the country party deprived their opponents of twelve votes.

design, was conveyed to Charles:[62] and he, irritated and alarmed, hastily adopted the following bold but hazardous expedient.

1642. Jan. 3. On the fourth day after the committal of the prelates, the attorney-general appeared at the bar of the house of lords, and in the name of the king impeached of high treason the lord Kimbolton, Hollis, Haslerig, Pym, Hampden, and Stroud, all distinguished members of the country party. He charged them with having conspired to alienate from the king the affections of his people, to excite disobedience in the army, to subvert the rights of parliament, and to extort the consent of the majority by the influence of mobs and terror; and with having moreover invited a foreign force into the kingdom, and actually levied war against the sovereign.[63] It was expected that the lords would pay that deference to the king, which they had so lately paid to the commons, and would order the members impeached, as they had ordered the prelates, to be taken into cus-

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[62] Clarendon, i. 418.

[63] By the late treaty with the Scots, Charles had stipulated that an act of oblivion should be passed in parliament, "burying in forget-"fulness all acts of hostility between the king and his subjects, "which might arise from the coming of the Scottish army into Eng-"land, or any attempt, assistance, counsel, or advice, having rela-"tion thereunto." (Rushworth, iv. 370.) After the ratification of this treaty, though the act of oblivion had not passed, I see not how the king could in honour impeach the six members on the subject of their previous intrigues with the Scots.

tody. But the house appointed a committee to search for precedents: and Charles, indignant at the delay, sent a serjeant at arms to the commons to demand the persons of the five members. They returned for answer, that it was a matter which required serious deliberation, but that the individuals accused should be forthcoming to answer every legal charge.[64]

The next day the king himself, attended by his guards, and a number of officers with their swords, proceeded to the house of commons. He bade the others remain at the door, and accompanied only by his nephew, the prince elector, entered the house. Having taken the chair, he looked around him, and not seeing the persons whom he sought, inquired of the speaker, if they were present.[65] Lenthal, falling on his knees, replied that he was merely the organ of the house, that he had neither ears to hear, nor tongue to speak, but as he was directed by it. The king seating himself said, that in cases of treason there was no pri-

Jan. 4.

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[64] Journals of Lords, 500—503. Of Commons, Jan. 3. Rushworth, iv. 473—477. Clarendon attributes this bold but unfortunate proceeding to the advice of lord Digby, who, by supporting the bishops and Strafford, had become so odious in the house of commons, that he had been called up to the lords. Clarendon papers, iii. Supplement, lv. Hist. i. 359.

[65] "His design was betrayed by that busy stateswoman the coun-
"tess of Carlisle, who had now changed her gallant from Strafford
"to Pym, and was become such a she saint, that she frequented
"their sermons, and took notes." Warwick, 204.

CHAP. II.

vilege; that it was not his intention to offer violence, but to proceed against the accused by due course of law; that, if the birds had not flown, he would have taken them himself; as the case was, he expected from the loyalty of the house that they would send them to him, or he should have recourse to other expedients. He was heard in silence, and retired amidst low but distinct murmurs of "privilege, pri- "vilege."[66]

Triumph of his opponents.

This unadvised and abortive attempt completed the degradation of the unfortunate monarch. It was equally condemned by his friends and enemies: and it furnished the latter with the means of working on the passions of their adherents, and of exciting them to a state bordering upon phrenzy. The commons adjourned for a week; but during this recess a permanent committee sat at the Guildhall to concert matters with their partisans in the city, and to arrange a new triumph over the fallen authority of the sovereign. On the appointed day the five accused members proceeded by water to the house. They were

Jan. 11.

[66] Commons' Journals, Jan. 4. Rushworth, iv. 477. Whitelock, 52. 53. Each of the five members made a short speech in his own defence; but they appear to have evaded the charge of inviting a foreign enemy into the kingdom, by supposing that it alluded to the vote by which the commons requested the aid of the Scots to put down the Irish rebellion. The speeches are in Somers' Tracts, iv. 330—340, where by mistake, that which belongs to Hollis is attributed to Kimbolton, who was a member of the upper house.

CHAP. II.

escorted by 2,000 armed mariners in boats, and by detachments of the train bands with eight pieces of cannon on each bank of the river; and were received on landing by 4,000 horsemen from Buckinghamshire, who had come to assert the innocence, and to demand justice for the libel on the character of Hampden, their representative. The air resounded with shouts of joy, and with military music: and, as the procession passed by Whitehall, the populace indulged in the most unseemly vociferations against the misguided monarch. But Charles was no longer there. Distrusting the object of his opponents, he had on the preceding evening fled with his family to Hampton court.[67]

Intrigues in court and the two houses.

It now became evident that the hope of a reconciliation was at an end. Both parties resolved to stake the issue of the contest on the sword: and if they hesitated to declare themselves openly, it was that they might make preparations, and obtain an opportunity of throwing the blame of hostilities on each other. In the mean time their most secret counsels were reciprocally betrayed. The king had many devoted servants in the house of commons: Lord Falkland and sir John Colepepper, who had accepted official situations, gave

[67] Rushworth, iv. 480—484. Nalson, ii. 823, 829. Whitelock, 54. Clarendon, i. 380.

CHAP. II.

him every information in their power: and Hyde, while he cautiously disguised his attachment from his colleagues, repaired to the king in the night, acquainted him with what passed in the several committees, and supplied him with answers to the messages and declarations of his opponents, even before they were regularly submitted to the sanction of the house.[68]

On the other hand the patriots had spies or associates in the court, and the council, and even in the closet of the king. His most secret designs were immediately known and prevented. Hence to his surprise a guard was established round the Tower to prepare against the danger of a surprisal. Goring, the governor of Portsmouth, received instructions to obey no order which was not communicated through the two houses: the earl of Newcastle, sent by Charles on a secret mission to Hull, was commanded to attend his duty as a peer, and sir John Hotham, with his son, hastened to secure that important place for the parliament; and when it was known that the gentlemen, who, as volunteers, had escorted the king to Hampton court, under the com-

[68] Clarendon's Life, 46. 58. The papers were transmitted from Hyde to the king by gentlemen who offered their services, and who sometimes performed the journey to York, and brought back the answer in the short space of thirty-four hours. To prevent the possibility of detection, the king copied with his own hand all the papers sent by Hyde, and burnt the originals. Ibid 55. 59.

CHAP. II.

mand of colonel Lunsford, had received a message from him the next morning by the lord Digby, orders were issued to the sheriffs to disperse all assemblies of armed men in their respective counties, and Digby and Lunsford were impeached of high treason.[69] Jan. 14.

Aware that by his irregular entrance into the house of commons, he had given the vantage ground to his adversaries, Charles attempted to retrace his steps by apologizing for his conduct, by promising to proceed against the five members by due course of law, by abandoning the prosecution altogether, and proposing that they should accept a general pardon. But these concessions, instead of mollifying, strengthened their obstinacy. They rejected every offer, and insisted that, to atone for so flagrant a breach of privilege, he should deliver up the names of his advisers. He scorned to return an answer.[70]

Dispute about command of forces. Jan. 20.

To probe, however, the sincerity of their declarations, he made to them a request that they should lay before him, in one view, a summary of all the enactments which they required, respecting his authority and revenue, their own privileges, the rights of the people,

[69] Husband, 202. Whitelock, 54. Clarendon, i. 384. 388. 418. His Life, 57. Clarendon papers, iii. App. liv. Rushworth, 495. 496. 565. Nalson, ii. 845. 863.

[70] Rushworth, iv. 490. 491.

CHAP. II.

and the reformation of the church, with a promise that his answer should prove him one of the most easy and benevolent of monarchs. To such a proposal it would have been impolitic to return a direct refusal. But they grasped at the opportunity, to effect what they had long sought, and what they had previously demanded as "a ground of confidence," that the government of the forts, and the command of the army and navy, should be entrusted to officers nominated by the two houses of parliament. The king was startled by this answer. To assent to it was to deprive himself of a power essential to royalty, and to throw himself without resource at the feet of his enemies. He resolved to refuse: but his repugnance was gradually removed by some of his advisers, who maintained that whatever was "radically bad, could not be healed by "the royal assent:" that as a commission under the great seal was of no effect, if it were contrary to law, so an act of parliament had no power to bind, when it was subversive of the ancient constitution of the realm. This reasoning was specious; it relieved the king from his present difficulties, by authorizing him to resume at pleasure, what he should now concede through necessity: and he not

Feb. 13. only passed the two objectionable bills for pressing soldiers, and depriving the bishops of

their seats, and of all temporal employments,[71] but offered to submit all disputes respecting the liturgy to the consideration of parliament; promised never to grant a pardon to a catholic priest without the previous consent of the two houses; requested to know the names of the persons who might be trusted with commands in the army, approved of the list, and only required, 1°. that their appointment should be limited to a certain time; and, 2°. that the extraordinary powers to be exercised by them, should previously be conferred by statute on himself, that they might receive them through him. But his opponents began to distrust the facility with which he now assented to their demands: they voted that his last proposal Mar. 5. was in reality a denial; that those who advised it were enemies to the state, and should be brought to condign punishment; and that a speedy remedy ought to be provided by the wisdom of parliament. In a few days an ordinance was prepared, appointing by the authority of the two houses, fifty-five lords and

[71] Clarendon, i. 428—430. Colepepper was of opinion that the king might safely reject the second of these bills, if he would give his assent to the first respecting the bishops. But Charles refused. He then went to the queen, brought her over to his opinion, and assured her of the popular favour, if she were known to promote the bill. With her aid he overcame the reluctance of the king. Such, at least, is the story told by Clarendon in the history of his own life (p. 50. 51.) But I doubt its accuracy. He seems to have forgotten that Charles assented to both bills at the same time.

CHAP. II.

commoners lieutenants of different districts, with power to nominate deputies and officers, and to suppress insurrections, rebellions, and invasions.[72] A long succession of declarations and answers served to occupy the attention of the public for several months. The king's opponents shrunk from the avowal of their real motives; and their allegations that there existed a design to bring in popery, that the papists intended to rise in England as they had done in Ireland, and that a council of papists governed the king, since they were evidently false and chimerical, gave to the replies composed for the monarch, a decided superiority.[73]

King retires to York.

But the real object of Charles was, like that of his opponents, to prepare for war. He had in January sent his queen to Holland, under the pretence of conducting his daughter Mary to her husband, the prince of Orange, but for the purpose of soliciting aid from foreign powers, of raising money on the valuable jewels which she had carried with her, and of purchasing arms and ammunition. In the mean time, he gradually withdrew himself from the

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[72] Rushworth, iv. 516—528.

[73] See them in Rushworth, iv. 528—552. Of the reports respecting the influence of the papists, secretary Nicholas writes thus to the king: "y^e^ alarme of popishe plots amuse and fright the people "here more then any thing, and therefore that is y^e^ drum that is so "frequently beaten upon all occasions." Oct. 27. Evelyn's Memoirs, ii. App. 46.

vicinity of the metropolis into the northern counties, and at last fixed his residence in York. A body guard was raised for him by the neighbouring gentlemen, to form in due time the nucleus of a more numerous army.[74]

Progress of rebellion in Ireland.

Leaving the king at York, the reader may now revert to the transactions in Ireland. Whatever projects might have been entertained by the lords of the pale, to whom Antrim had communicated his commission from the sovereign, they had been defeated by the premature insurrection of the Irish in Ulster. The castle of Dublin was secured from danger by the vigilance of its governor, sir Francis Willoughby. The parliament assembled on the appointed day, but found itself controlled by a garrison of 4000 men; and another adjournment, by order of the justices, prevented it from interfering with the administration of government. The lords and gentry of English descent made a tender of their advice and support. Both were unceremoniously refused; even the arms which they had obtained for their own defence were re-demanded, and an order from the council compelled them to leave the capital, and to repair to their houses in the country. This distrust, though the leaders must have known that it was not unfounded, provoked dissatisfaction, which was considerably irri-

[74] D'Orleans, Revolutions d'Angleterre, 91. Clarendon, i. 419.

CHAP. II.

tated by the successive proclamations of the government, and by military incursions attended with pillage and bloodshed, which were occasionally made into the districts in the vicinity of Dublin.[75]

Rising of the pale.

For six weeks the insurrection had been confined to the ancient Irish. In the beginning of December, the lord Gormanstown issued, in quality of governor of Meath, a warrant for a general meeting of the county on the hill of Crofty. It was attended by the lords Fingal, Slany, Netterville, Trimblestone, and Lowth, fourteen gentlemen, and a thousand freeholders. After some time, Moore, O'Reily, Byrne, and other leaders of the insurgents, appeared with a guard of musketeers. To the questions put by Gormanstown, they replied, that they had taken up arms to procure freedom of conscience, to maintain the just prerogatives of the crown, and to obtain for the people of Ireland the same privileges which were enjoyed by the people of England. Of these objects the meeting approved. A national association for the purpose of effecting them was formed, and the members, in imitation of the Scottish covenanters, bound them-

Dec. 3.

[75] Carte's Ormond, i. 244—247. Carte, iii. 49. 52. Clanricarde, 67. "Since the distemper began, they (the lord justices) have so "disposed of affairs, as if the design were laid to put the whole "kingdom in rebellion." Clanricarde to the duke of Richmond. Memoirs, 63.

selves by a common oath to maintain the free and public exercise of the catholic worship, to bear true faith and allegiance to king Charles, and to defend him against all who should endeavour to subvert the royal prerogative, the power of parliament, or the just rights of the subject. The example once given, determined those who had hitherto wavered; and the whole people of Ireland, with the exception of those who inhabited the fortresses in possession of English garrisons, and of Galway, which was retained in obedience by the earl of Clanricarde, agreed to draw the sword against the common enemies of their king, of their rights, and of their religion.[76]

Their vindication.

In vindication of their conduct they alleged, 1°. That in hatred to their religion they were subjected to numerous restraints, and excluded from offices under government, while persons of low birth and needy circumstances rose to the highest honours in the state without any merit of their own, but because they were protestants and Englishmen. 2°. That the "graces" which they had purchased at an enormous expense, were still withheld from them by two successive prorogations of parliament, a proof that it was still the design of their enemies to

[76] Temple, 19. 20. Carte, iii. 49. Rushworth, iv. 415. Nalson, ii. 907.

CHAP. II.

deprive them of their property under the pretext of defective titles. 3°. That the parliament of England had usurped the authority of the parliament of Ireland, and maintained that the latter country was bound by the orders and resolutions of the English houses, whenever it was expressly named. 4°. That the men who took the lead in England, had avowed themselves the implacable enemies of the catholic religion, had sworn to extirpate it, had enforced the penal code against the catholics of England, and meant, in consequence of their new pretensions, to enforce it also in Ireland. On these accounts, they resolved never to lay down their arms till they had obtained an acknowledgment of the independence of the Irish on the English parliament, the repeal of all degrading disqualifications on the ground of religion, the free exercise of the catholic worship, the confirmation of the graces, and the exclusion of all but natives from civil and military offices within the kingdom. The Scots, they added in a petition to the king, whose grievances were certainly less numerous, and whose church had been less persecuted, had appealed to the sword in defence of their religion and liberties: and their conduct had been ultimately approved both by him and the parliament of England: whence they inferred that what was commendable in Scots-

men, could not, by impartial judges, be considered as blameable in Irishmen.[77]

Cruelties.

By degrees the war in Ulster had assumed the most ferocious appearance. The natives, looking on the planters as intruders and robbers, had stripped them of their property, had chased them from their homes, and in some instances had taken their lives. On the other hand the military, acting by the orders of the council, executed, where they had the power, martial law on the insurgents, laying waste the country, and slaying the fugitives without distinction or mercy.[78] One act of violence was constantly retaliated by another: the thirst for revenge was reciprocally excited and gratified; and men on both sides learned to indulge in murder without remorse, even with feelings of triumph. It has been usual for writers to present to their readers only one half of the picture, to paint the atrocities of the natives, and to conceal those of their opponents: but barbarities too revolting to stain these pages, are equally recorded of both: and, if among the

[77] Rushworth, iv. 411. 414. Carte, iii. 47. 48. 50. 55. 99. 110. 136. Clanricarde, 70. Borlase, App. 46. "Your majesty would "make no worse construction of us for what we have done, than "our loyalties and affections to your majesty do deserve, and no "worse than your majesty hath made of others of your subjects, "who upon less or the same occasions have done the like." p. 47.

[78] Carte, iii. 61. 62. 68. Cox. App. viii. I observe that in Ulster, as early as October 27th, the English garrisons began to plunder the lands of the Irish in that province. Carte, i. 185. 186.

CHAP. II.

one there were monsters, who thirsted for the blood of their victims, there were among the others those, who had long been accustomed to deem the life of a mere Irishman beneath their notice. Nor is it easy for the impartial historian, in this conflict of passions and prejudices, amidst exaggerated statements, bold recriminations, and treacherous authorities, to strike the balance, and allot to each the due share of inhumanity and bloodshed. If the Irishman must blush, when he hears of a hundred captives driven at the point of the pike into a deep and rapid river; the Englishman will read with a sigh the orders issued by the lords of the council to the army, not only to burn to the ground every house, but to put to the sword every male inhabitant capable of bearing arms in those districts, in which the rebels had been received during the progress of their march.[79]

Measures of relief.

The lords justices had expected prompt and abundant aid from England. To their disappointment it was only on the last day of the year that a single regiment arrived: and five months elapsed before they had received a re-

[79] Carte, iii. 51. 61. "To wound, kill, slay, and destroy all the "rebels, and their adherents and relievers, and burn, spoil, waste, "consume, destroy, and demolish all the places, towns, and houses, "where the rebels were or have been relieved or harboured, and all "the corn and hay there, and to kill and destroy all the men there "inhabiting able to bear arms." Ibid. See Note (A.)

CHAP. II.

inforcement of 5000 men. The Scots, indeed, offered to send twice that number: but national jealousy interfered to refuse an army which might hereafter claim the island as a dependency on the Scottish crown. The king signed a proclamation declaring the insurgents traitors,[80] and published his intention of raising 10,000 volunteers, of putting himself at their head, and of chastising in person the presumption of the rebels. But the two houses would not listen to a project calculated to furnish the prince whom they had offended, with a military force: and they preferred to vote supplies of men, of money, and of provisions; though anxious at the same time to husband their resources for the contest which they anticipated at home, they took little care to put such votes in execution. The project which they chiefly urged, and to which they obtained the reluctant consent of the king, was to raise a large fund on the security of the lands, which the insurgents were supposed to have already forfeited by their rebellion. For this purpose 2,500,000 acres were reserved by act of parliament:

1642. Jan. 1.

[80] Carte, iii. 53. Rushworth, iv. 472, 473. The lords justices requested the king to sign several copies of this proclamation, that they might send them into different counties, and prove their authenticity by his signature. For the sake of expedition, forty copies were printed, and signed by him. Yet this was afterwards converted into a charge against him, as if, by limiting the number to forty, he wished the proclamation to be but little known; whereas, it was in reality a greater number than had been asked for with his signature.

CHAP. II.

and the public credit was pledged to the subscribers that, for every sum of money advanced, they should receive a proportionate return of forfeited property. This plan succeeded: but if it relieved the poverty of the treasury, it served also to cement the union, and to invigorate the efforts of the insurgents. The former vote, never to suffer the public exercise of the catholic worship, had shewn that their religion, this proved that their property, was also at stake. They were reduced to the alternative, that they must either conquer or abandon the worship, and forfeit the inheritance of their fathers.[81]

Fruitless attempt on Hull.

At York the king was no longer controlled by the vicinity of the two houses. Instead of daily insults from mobs, he received loyal addresses from different bodies of the inhabitants, and his court was frequented by the most distinguished families in the neighbourhood. But in one of the principal objects of his journey he completely failed. He had been informed that sir John Hotham felt little attachment to the popular cause, and that it required no more than the royal presence to obtain from him the surrender of the magazine at Hull.

April 23.

Confining his secret to three or four confidential servants, Charles sent his son the duke of York, and his nephew the prince elector, to Hull, on

[81] Rushworth, iv. 553—563.

a party of pleasure. They were received and entertained with the respect due to their rank. The next morning the governor received two letters, one from sir Lewis Dives, announcing that the king meant to dine with him that day, the other from an unknown correspondent, hinting that it was intended to take his life for his former misconduct. Hotham ordered the drawbridge to be raised, the gates closed, and the walls manned. At eleven Charles arrived. His commands, entreaties, promises, and threats, were equally disregarded. At four he received back his son and nephew, and returning in an hour, ordered Hotham to be proclaimed a traitor by sound of trumpet. The two houses voted the proclamation a breach of the privileges of parliament.[82]

This inauspicious attempt was followed by a succession of petitions and complaints, answers and replications, remonstrances and protests, in which much ability was displayed by the writers on each side, though the advantage seemed to rest with the king. He maintained that the arms at Hull were his private property; he had bought them with borrowed money, previously to the Scottish invasion: that the town was his, for it had belonged to the crown, and was still held by royal charter:

[82] Clarendon, i. 506—518. Husband, 138. Rushworth, iv. 565—599, and the Journals, v. 16. 28. The Hothams afterwards repented, but were seized and beheaded by order of parliament.

CHAP. II.

and that the fortress was his, because to him belonged the command of all the fortifications within the kingdom.[83] But it was idle to talk of legal rights at a time, when a real though disguised war raged between the parties.

Both parties raise men.

The two houses had already voted a levy of 16,000 men, in opposition to the king, who intended to levy war against the parliament. The trained bands of London under general

May 20.

Shippon professed the strongest attachment to the cause; the arms at Hull were removed to the Tower: a forced loan at eight per cent., and paid in money or plate, replenished the treasury: large sums were employed in the purchase of stores; the earl of Warwick (Northumberland's commission had been revoked by the king) took the command of the fleet, and the earl of Essex was appointed lord-

July 12.

general, with a solemn promise from both lords and commons, that they would live and die with him in the national quarrel.[84]

On the other hand the king was not idle. Numbers of the nobility and gentry, and clergy, with the members of both universities, lent him money: a vessel sent by the queen from Hol-

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[83] Rushworth, iv. 567—588.

[84] Journals, v. 29. 34. 41. 56. 64. 66. 70. 79. 87. 91. 105. 121. 140. 152. 181. 186. 196. 206. The pay of the soldiers was 8d. per day for the infantry, 2s. 6d. for the cavalry: viz. 16d. for the keep of the horse, the rest for the man. Ibid. 196, 197. The lord general received £10., the general of the horse £6 per day.

land brought him a supply of arms, ammunition, and sixteen pieces of cannon; the neighbouring gentlemen of the county offered him their support; and in opposition to the ordinance for levying the militia, he issued commissions of array according to the ancient custom, for each separate county. Thus the whole kingdom was thrown into confusion.[85] In every shire, almost in every township, were persons raising men at the same time for the king and the parliament: in the south the latter generally prevailed: the lower classes had long looked up to it for protection against the illegal assumptions of royalty: and the speedy vengeance with which the least symptom of disobedience was visited, induced the higher to feign sentiments which they did not feel. In many places rencontres took place between the parties: some blood was spilt, and prisoners were reciprocally made: but whenever the royalists had the worst, their property was pillaged by the mob.[86]

June 12.

There were, however, many, both at York and in the parliament, who still laboured to

Their demands.

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[85] At first it was objected to the commissions issued by the king at York, that they were of no force, because they wanted the great seal. To remove this difficulty, Lyttleton, the lord keeper, was induced by Hyde to carry off the seal, and repair to York in May. The two houses were irritated: but in their own defence they ordered a new great seal to be made, and intrusted it to commissioners of their own. Clarendon's life, 61. 64. Hist. i. 568—574. Rushworth, iv. 718. Lords' Journals. 93.

[86] Ibid. 74. 111. 115. 147. 149. 182. and Mecurius Rusticus.

CHAP. II.

effect an accommodation. The king, they contended, had made most ample concessions: all that could be desired, was security for the performance, and why might not this be obtained by treaty as readily as by war? Charles demanded an answer to the proposals which he had made at the commencement of the year: and his adversaries, to silence the clamour of their adherents, offered nineteen articles, as the basis of a pacification. They were chiefly framed after the model of the concessions obtained by the Scots: that all matters of importance should be debated and concluded in parliament; that the members of the council, and the great officers of state, the chief justice,
June 22. and chief baron, should be always chosen with the approbation of parliament, and should retain their offices during their good behaviour; that the governors and tutors of the king's children should also be chosen by parliament; that no treaty of marriage, respecting any member of the royal family, should be negociated without its consent; that the king should dismiss all his guards, should recal his proclamations, and should suffer the ordinance for the militia to remain in force, till the question were settled by bill; that a reform should be made in the church and the liturgy; that no new peer should sit in parliament unless he were admitted by the consent of both houses; that the popish peers should be deprived of

their votes until they had conformed; and that the children of catholics should be brought up in the protestant faith.

Charles replied, that he was willing to concur in the forced education of catholic children, to compel the catholic peers to give their proxies to protestants, and to abolish all innovations in religion; but he could not consent to the rest of the demands. He deemed them unnecessary: "for the power legally placed in "the two houses was more than sufficient to "prevent and restrain the power of tyranny." He would therefore say with the barons of old, "nolumus leges Angliæ mutari." Otherwise he might still have his hands kissed, still be addressed with the style of majesty, still wear a crown and carry a sceptre, but he would be deprived of all real power, a dependent on the bounty, and a slave to the caprice, of a party among his subjects.[87]

As long as the two parties adhered to these principles, reconciliation was impracticable: and it became an object of the first importance to each, to persuade the nation that the im-

[87] Ibid, 90. 97. Rushworth, iv. 722—735. Clarendon, i. 634—647. In this answer the friends of the church remarked and lamented an important departure from the language of ancient times. The parliament was described as consisting of three estates, the king, lords and commons. Formerly the three estates were the clergy, the lords and commons, with the king for their head. The paper had been composed by Falkland and Colepepper, who cared little for the temporal claims of the church. See Clarendon's life, p. 67.

CHAP. II.

pending civil war was to be attributed to the unreasonable pretensions of the other. The

July 12. houses voted an humble petition to the king, to recal the commissions of array, to disband his forces, consent to the punishment of delinquents, and to return to one of his usual residences in the vicinity of the capital. Charles, in his reply, appealed to the Almighty in proof of his readiness to disarm his adherents, to meet the two houses, and to settle every difference in a parliamentary way; but then he required as previous conditions that they should repeal the ordinance of the militia, replace the navy under the command of the admiral whom he had appointed, and meet him in some place, where both he and they might be secure from insult and intimidation.[88] But the quarrel was now drawing to a crisis; and the houses answered, that to accede to such conditions would be to betray the trust reposed in them for the safety of the king and kingdom.

July 26.

Commencement of hostilities.

The commencement of hostilities was occasioned by the following occurrence. Colonel Goring, the governor of Portsmouth, an officer of distinguished merit, had been raised to the rank of lieutenant general, and appointed to organize and discipline the new parliamentary levies. He hesitated to accept the commission, and pleaded in excuse of his delay the

[88] Lords' Journals, v. 206. 235. Clarendon's, i. 684—693.

CHAP. II.

necessity of superintending the construction of some new fortifications: but a peremptory order to join the army extorted from him an answer, that he could not in honour quit his command without the royal permission. Aware of the consequences, he administered an oath of allegiance to the soldiers and inhabitants, and in a few days was besieged by the parliamentary forces. The king immediately proclaimed Essex and the officers under him traitors, unless they should return to their duty within the space of six days, and the houses declared the proclamation a libellous and scandalous paper, and retorted the crime of treason on all those by whom it had been advised, and by whom it should be afterwards abetted or countenanced.[89]

Aug 2.

Aug. 9.

King raises his standard.

In these circumstances Charles resolved on hostile measures. Having sounded the disposition of the Yorkshire gentlemen, he summoned all his loving subjects north of the Trent, and within twenty miles to the south of that river, to meet him in arms at Nottingham on the twenty-second of August. On that day the royal standard, on which was a hand pointing to a crown, with this motto, "Give to Cæsar "his due," was carried by a guard of six hundred foot from the castle into a large field: the king followed with a retinue of two thousand

Aug. 22.

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[89] Clarendon, i. 711—715. Rushworth, iv. 761. 773. Lords' Journals, 76. 257 261. 283. 288. 503. Commons' Journals, May 20. 22.

CHAP. II.

men; and the inhabitants crowded around to hear the proclamation read by the herald at arms. This ceremony, called the raising of the standard, was deemed equivalent to a declaration of hostilities.[90]

Reflections.

Thus step by step was the country led into that most direful of national calamities, a civil war. The Stuarts, seated on the throne of the Tudors, doubted not that they were rightfully possessed of all those arbitrary powers claimed and exercised by their predecessors. But within the last fifty years the minds of men had undergone a wonderful revolution. It had become fashionable to study the principles of government, and to oppose the rights of the subject to the pretensions of the sovereign. We have seen that Elizabeth, with all the awe inspired by the firmness of her character, had been unable, towards the close of her reign, to check the expression of liberal sentiments. Under the gentle sway of James they were diffused with rapidity; and the necessities of Charles, arising from his wars and his debts, emancipated them altogether from restraint. Good sense should have taught him to go along with the general feelings of his people: but princes in all ages have been slow to learn the important lesson, that the influence of authority must ultimately bend to the influence of

[90] Lords' Journals 297. Rushworth, 783.

opinion. The monarch clung with pertinacity to every branch of the prerogative; and if he ever relinquished his hold, it was after so long a struggle, and with so bad a grace that he excited in his subjects' suspicions of his sincerity: suspicions confirmed by that habit of duplicity which had ever marked his conduct since his first entrance into public life. Their distrust formed an antidote to their gratitude; they gave him no credit for the most valuable concessions; and the wish to secure what they had gained, induced them to make new and more galling demands.[91]

The reader, however, will have remarked that the controversy between the king and his opponents no longer regarded the real liberties of the nation, which had already been established by successive acts of the legislature, but was confined to certain concessions, which *they* demanded as essential to the preservation of those liberties, and which *he* refused as subversive of the royal authority. That some securities were requisite, no one denied: but

[91] This general feeling is strongly expressed by a female and contemporary writer. "He made no conscience of granting aniething "to the people, which he resolved should not obliege him longer "than it should serve his turn; for he was a prince that had "nothing of faith or tiuth, justice or generosity, in him. He was "the most obstinate person in his self-will that ever was; and so bent "upon being an absolute uncontroulable soveraigne, that he was re-"solved either to be such a king or none." Though the portrait is too highly coloured, the outline may be deemed correct. Lucy Hutchinson's Memoirs of her Husband, colonel Hutchinson, p. 66.

CHAP. II.

while many contended that the control of the public money, the power of impeachment, and the right of meeting every third year, all which were now vested in the parliament, formed a sufficient barrier against encroachments on the part of the sovereign, others insisted that the command of the army, and the appointment of the officers of state, the counsellors, and the judges, ought also to be transferred to the two houses. Diversity of opinion produced a schism among the patriots: the more moderate silently withdrew to the royal standard; the more violent or more distrustful resolved to defend their opinions with the sword. It has often been asked, who were the authors of the civil war? The answer seems to depend on the solution of this other question; were additional securities necessary for the preservation of the national rights? If they were, the blame will belong to Charles; if not, it must rest with his adversaries.

CHAP. III.

CHARLES I.

BATTLE OF EDGE HILL—TREATY AT OXFORD—SOLEMN VOW AND COVENANT—BATTLE OF NEWBURY—SOLEMN LEAGUE AND COVENANT BETWEEN THE ENGLISH AND SCOTTISH PARLIAMENTS—CESSATION OF WAR IN IRELAND—ROYALIST PARLIAMENT AT OXFORD—PROPOSITIONS OF PEACE—BATTLE OF MARSTON MOOR—THE ARMY OF ESSEX CAPITULATES IN THE WEST—SELF-DENYING ORDINANCE—SYNOD OF DIVINES—DIRECTORY FOR PUBLIC WORSHIP—TRIAL OF ARCHBISHOP LAUD—BILL OF ATTAINDER—HIS EXECUTION.

CHAP. III.

It had been suggested to the king that at the head of an army, he might negociate with greater dignity and effect. From Nottingham he dispatched to London the earl of Southampton, sir John Colepepper, and sir William Uvedale, the bearers of a proposal, that commissioners should be appointed on both sides, with full powers to treat of an accommodation. The two houses, assuming a tone of conscious superiority, replied that they could receive no message from a prince who had raised his standard

Treaty proposed and refused. Aug. 25.

Aug. 27.

CHAP. III.

against his parliament, and had pronounced their general a traitor. Charles (and his condescension may be taken as a proof of his

Sept. 4. avoid to wish hostilities,) offered to withdraw his proclamation, provided they on their part would

Sept. 6. rescind their votes against his adherents. They refused: it was their right and their duty to denounce, and bring to justice, the enemies of the nation. He conjured them to think of the blood that would be shed, and to remember

Sept. 11. that it would lie at their door; they retorted the charge: he was the aggressor, and his would be the guilt. With this answer vanished every prospect of peace: both parties appealed to the sword; and within a few weeks the flames of civil war were lighted up in every part of the kingdom.[1]

Royalists. Three-fourths of the nobility and superior gentry, led by feelings of honour and gratitude, or by their attachment to the church, or by a well grounded suspicion of the designs of the leading patriots, had ranged themselves under the royal banner. Charles felt assured of victory, when he contemplated the birth, and wealth, and influence of those by whom he was surrounded: but he might have discovered much to dissipate the illusion, had he considered their habits, or been acquainted with their real, but unavowed sentiments. They were for the most

[1] Journals, v. 327, 328. 338. 342. 385. Clarendon, ii. 8. 16.

part men of pleasure, fitter to grace a court than to endure the rigour of military discipline, devoid of mental energy, and likely by their indolence and debauchery, to offer advantages to a prompt and vigilant enemy. Ambition would induce them to aspire to office, and commands, and honours, to form cabals against their competitors, and to distract the attention of the monarch by their importunity, or their complaints. They contained among them many who secretly disapproved of the war, conceiving that it was undertaken for the sake of episcopacy, an institution in the fate of which they felt no interest, and others who had already in affection enrolled themselves among the followers of the parliament, though shame deterred them for a time from abandoning the royal colours.[2]

There was another class of men on whose services the king might rely with confidence, the catholics, who, alarmed by the fierce intolerance and the severe menaces of the parliament, saw that their own safety depended on the ascendency of the sovereign. But Charles hesitated to avail himself of this resource. His

[2] Thus sir Edward Varney, the standard-bearer, told Hyde, that he followed the king because honour obliged him; but the object of the war was against his conscience, for he had no reverence for the bishops, whose quarrel it was. Clarendon's Life, 69. Lord Spencer writes to his lady, "if there could be an expedient found to salve "the punctilio of honour, I would not continue here an hour." Sydney papers, ii. 667.

CHAP. III.

adversaries had allured the zealots to their party, by representing the king as the dupe of a popish faction, which laboured to subvert the protestant, and to establish on its ruins the popish worship. It was in vain that he called on them to name the members of this invisible faction, that he publicly asserted his attachment to the reformed faith, and that, to prove his orthodoxy, he ordered two priests to be put to death at Tyburn, before his departure from the capital, and two others at York, soon after his arrival in that city.[3] The houses still persisted in the charge: and in all their votes and remonstrances attributed the measures adopted by the king to the advice and influence of the papists, and their adherents.[4] Aware of the impression which such reports made on the minds of the people, he at first refused to intrust with a commission, or even to admit into the

[3] Thomas Reynolds and Bartholomew Roe, on Jan. 21.; John Lockwood and Edmund Caterick, on April 13. Challoner, ii. 117. 200.

[4] In proof of the existence of such a faction, an appeal has been made to a letter from lord Spencer to his wife. (Sydney papers, ii. 667.) Whether the cipher 243 is correctly rendered "papists," I know not. It is not unlikely that lord Spencer may have been in the habit of applying the term to the party supposed to possess the royal confidence, of which party he was the professed adversary. But when it became at last necessary to point out the heads of this popish faction, it appeared that they were protestants—the earls of Bristol, Cumberland, Newcastle, Carnarvon and Rivers, secretary Nicholas, Endymion Porter, Edward Hyde, the duke of Richmond, and viscounts Newark and Falkland. Rushworth, v. 16. May, 163. Also Baillie, i. 416. 430. ii. 75.

CHAP. III.

ranks, any person who had not taken the oaths of allegiance and supremacy; but necessity soon taught him to accept of the services of all his subjects without distinction of religion, and he not only granted permission to the catholics to carry arms in their own defence, but incorporated them among his own forces.[5] Aug. 10.

Parliamentarians.

While the higher classes repaired with their dependents to the support of the king, the call of the parliament was cheerfully obeyed by the yeomanry in the country, and by the merchants and tradesmen in the towns. All these had felt the oppression of monopolies and ship money: to the patriots they were indebted for their freedom from such grievances; and, as to them they looked up with gratitude for past benefits, so they trusted to their wisdom for the present defence of their liberties. Nor was this the only motive: to political must be added religious enthusiasm. The opponents of episcopacy, under the self-given denomination of the godly, sought to distinguish themselves by the real or affected severity of their morals: they looked down with contempt on all others,

[5] Rushworth, iv. 772. v. 49, 50. 80. Clarendon, ii. 41. On September 23, 1642, Charles wrote from Shrewsbury, to the earl of Newcastle,—"This rebellion is growen to that height, that I must not "looke to what opinion men ar, who at this tyme ar willing and able "to serve me. Therfore I doe not only permit, but command you, to "make use of all my loving subjects' services, without examining "ther contienses (more then there loyalty to me) as you shall fynde "most to conduce to the uphoulding of my just regall power." Ellis, iii. 291.

CHAP. III.

as men of dissolute or irreligious habits; and many among them, in the belief that the reformed religion was in danger, deemed it a conscientious duty to risk their lives and fortunes in the quarrel.[6] Thus were brought into collision three of the most powerful motives which can agitate the human breast, loyalty, and liberty, and religion: they elevated the minds of the combatants above their ordinary level, and in many instances produced a spirit of heroism, and self-devotedness, and endurance, which demands our admiration and sympathy. Both parties soon distinguished their adversaries by particular appellations. The royalists were denominated cavaliers; a word which, though applied to them at first in allusion to their quality, soon lost its original acceptation, and was taken to be synonymous with papist, atheist, and voluptuary: and they on their part gave to their enemies the name of round-heads, because they cropped their hair short, dividing "it into so many little peaks as was something "ridiculous to behold."[7]

State of the two armies.

Each army in its composition resembled the other. Commissions were given, not to persons

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[6] Whitelock, 76.

[7] Life of colonel Hutchinson, p. 100. "The godly of those days, "when the colonel embraced their party, would not allow him to be "religious, because his hair was not in their cut, nor his words in their phrase." Ibid. The names were first given a little before the king left Whitehall. Clarendon, i. 339.

CHAP. III.

the most fit to command, but to those who were most willing and able to raise men: and the men themselves, who were generally ill paid, and who considered their services as voluntary, often defeated the best concerted plans, by their refusal to march from their homes, or their repugnance to obey some particular officer, or their disapproval of the projected expedition. To enforce discipline was dangerous: and both the king and the parliament found themselves compelled to entreat or connive, where they ought to have employed authority and punishment. The command of the royal army was intrusted to the earl of Lindsay, of the parliamentary forces to the earl of Essex, each of whom owed the distinction to the experience which he was supposed to have acquired in foreign service. But such experience afforded little benefit. The passions of the combatants despised the cool calculations of military prudence: a new system of warfare was necessarily generated; and men of talents and ambition quickly acquired that knowledge which was best adapted to the quality of the troops, and to the nature of the contest.

The king's protestation.

Charles proceeded from Nottingham to the borders of Wales, collecting reinforcements, and receiving voluntary contributions on his march. Half way between Stafford and Wellington he halted the army, and placing himself in the centre, solemnly declared in the

Sept. 19.

CHAP. III.

presence of Almighty God, that he had no other design, that he felt no other wish, than to maintain the protestant faith, to govern according to law, and to observe all the statutes enacted in parliament. Should he fail in any one of these particulars, he renounced all claim to assistance from man, or protection from God: but as long as he remained faithful to his promise, he hoped for cheerful aid from his subjects, and was confident of obtaining the blessing of heaven. This solemn and affecting protestation, being circulated through the kingdom, gave a new stimulus to the exertions of his friends; but it was soon opposed by a most

Oct. 22.

extraordinary declaration on the part of the parliament: that it was the real intention of the king to satisfy the demands of the papists by altering the national religion, and the rapacity of the cavaliers by giving up to them the plunder of the metropolis; and that to prevent the accomplishment of so wicked a design, the two houses had resolved to enter into a solemn covenant with God, to defend his truth with the hazard of their lives, to associate with the well-affected in London and the rest of the kingdom, and to request the aid of their Scottish brethren, whose liberties and religion were equally at stake.[3]

Sept. 9.

In the mean time Waller had reduced Ports-

[3] Clarendon, ii. 16. Rushworth, v. 20. 21. Journals, v. 376. 418.

mouth, while Essex concentrated his force, amounting to 15,000 men, in the vicinity of Northampton. He received orders from the houses to rescue, by force if it were necessary, the persons of the king, the prince, and the duke of York, from the hands of those desperate men by whom they were surrounded, to offer a free pardon to all who, within ten days, should return to their duty, and to forward to the king a petition, that he would separate himself from his evil counsellors, and rely once more on the loyalty of his parliament. From Northampton Essex advanced to the city of Worcester.[9]

Sept. 16.

Sept. 23.

Battle of Edge Hill.

When Charles left Nottingham he could muster no more than 6000 men: while he remained at Shrewsbury, his army swelled to almost thrice that number. Having completed his preparations, he marched directly towards the capital. Essex, whether it were through want of intelligence, or through the inexperience of his officers, did not interpose: but he followed with expedition, and entered the village of Keinton on the same evening, on which the royalists halted at Edgecoat, only a small distance in advance. Charles summoned a council of war; and it was resolved to turn on the pursuers in the morning, and to engage them before their whole army could join; but

Oct. 22.

Oct. 23.

[9] Rushworth, v. 16—20.

CHAP. III.

so much time was lost in preparation, that it was two hours after mid-day before the action commenced. Rupert, one of the king's nephews, who commanded the cavalry on the right, bore down all before him: but instead of reserving himself for the support of his friends, he continued the pursuit, and rewarded his men with the plunder of Keinton. Wilmot, on the left, fought with similar success, and committed a similar error. In the centre the battle was more fierce and obstinate: regiment after regiment of the royal infantry was broken and dispersed; and only two small corps maintained the fight till the cavalry returned from the pursuit, and darkness separated the combatants. If we may believe the report of those who buried the dead, near 6000 men were slain: but the conflicting statements of the parties render it impossible to estimate their respective losses. The royal standard was taken, but recovered: and the earl of Lindsay received a wound, of which he died the same evening. Offended at the pride of prince Rupert, who disdained to acknowledge any other superior than the king, he had resigned the command to Ruthen, a Swedish general, and received a shot in the thigh, while he gallantly fought as colonel at the head of his own regiment.[10]

[10] Clarendon, ii. 45. May, 168. Rushworth, v. 33—39, and lord Wharton's narrative in the Journals, v. 423.

CHAP. III.

Both sides claimed the honours, the king reaped the advantages, of victory. Essex retreated to Coventry: Charles took Banbury with its garrison of 1000 men, marched without molestation to Oxford, and dispatched parties of cavalry into the neighbourhood of the metropolis. The two houses felt considerable alarm. They wrote for assistance to Scotland; they ordered Essex to hasten to their protection; they formed a new army under the Earl of Warwick; they voted a petition to the king; they even submitted to his refusal of receiving, as one of their deputies, sir John Evelyn, who had previously been pronounced a traitor.[11] Whether their object was to effect an accommodation, or merely to arrest the advance of the royal army, is uncertain: but while the deputies presented the petition to the king at Colnbrook, Essex took possession of Brentford with the three regiments of Brooke, Hollis, and Hampden. The next morning Ruthen advanced against the town. Many of the parliamentary soldiers threw down their arms, and perished in the river; 500 men, with fifteen pieces of cannon, were

Action at Brentford. Oct. 27.

Nov. 2.

Nov. 3.

Nov. 11.

Nov. 12.

[11] Journals, 431, 2, 3, 4, 5, 6. On Nov. 7th, the houses voted the refusal to receive Evelyn, equivalent to a refusal to treat (437); but on the ninth they rescinded this vote, and left it to Evelyn to act or not, as he deemed proper. Ibid. 439.

CHAP. III.

taken. The king discharged the prisoners, leaving it to their option either to enter among his followers, or to promise on oath never more to bear arms against him.[12]

King retires to Oxford.

This action put an end to the projected treaty. The parliament reproached the king that, while he professed the strongest repugnance to shed the blood of Englishmen, he had surprised and murdered their adherents at Brentford, unsuspicious as they were, and relying on the security of a pretended negociation. Charles indignantly retorted the charge on his accusers. They were the real deceivers, who sought to keep him inactive in his position till they had surrounded him with the multitude of their adherents. In effect his situation daily became more critical. His opponents had summoned forces from every quarter to London, and Essex found himself at the head

Nov. 14.

of 24,000 men. The two armies faced each other a whole day on Turnham Green: but neither ventured to charge, and the king, understanding that the corps which defended the bridge at Kingston had been withdrawn, retreated first to Reading, and then to Oxford. Probably he found himself too weak to cope with the superior number of his adversaries:

[12] Each party published contradictory accounts of this action. I have adhered to the documents entered in the Journals.

publicly he alleged his unwillingness to oppose by a battle any further obstacle to a renewal of the treaty.[13]

State of the kingdom.

The whole kingdom at this period exhibited a most melancholy spectacle. No man was suffered to remain neuter. Each county, town, and hamlet, was divided into factions, seeking the ruin of each other. All stood upon their guard, while the most active of either party eagerly sought the opportunity of despoiling the lands, and surprising the persons of their adversaries. The two great armies, in defiance of the prohibitions of their leaders, plundered wherever they came, and their example was faithfully copied by the smaller bodies of armed men in other districts. The intercourse between distant parts of the country was interrupted; the operations of commerce were suspended; and every person possessed of property was compelled to contribute after a certain rate to the support of that cause, which obtained the superiority in his neighbourhood. In Oxford and its vicinity, in the four northern counties, in Wales, Shropshire, and Worcestershire, the royalists triumphed without opposition: in the metropolis, and the adjoining counties, on the southern and eastern coast, the superiority of the parliament was equally

[13] May, 179. Whitelock, 65. 66. Clarendon. ii. 76.

CHAP. III.

decisive. But in many parts the adherents of both were intermixed in such different proportions, and their power and exertions were so variously affected by the occurrences of each succeeding day, that it became difficult to decide which of the two parties held the preponderance. But there were four counties, those of York, Chester, Devon, and Cornwall, in which the leaders had already learned to abhor the

Dec. 23. evils of civil dissension. They met on both sides, and entered into engagements to suspend their political animosities, to aid each other in putting down the disturbers of the public peace, and to oppose the introduction of any armed force, without the joint consent both of the king and the parliament. Had the other counties followed the example, the war would have been ended almost as soon as it began. But this was a consummation which the patriots

1643. Jan. 7. deprecated. They pronounced such engagements derogatory from the authority of parliament: they absolved their partisans from the obligations into which they had entered; and they commanded them once more to unsheath the sword in the cause of their God and their country.[14]

Treaty at Oxford. But it soon became evident that this pacific feeling was not confined to the more distant counties. It spread rapidly through the whole

[14] Journals, 535. Rushworth, v. 100. Clarendon, ii. 136. 139.

kingdom: it manifested itself without disguise even in the metropolis. Men were anxious to free themselves from the forced contribution of one-twentieth part of their estates, for the support of the parliamentary army,[15] and the citizens could not forget the alarm which had been created by the late approach of the royal forces. Petitions for peace, though they were ungraciously received, continued to load the tables Feb. 6. of both houses: and, the king himself having proposed a cessation of hostilities, prudence taught the most sanguine advocates for war to accede to the wishes of the people. A negociation was opened at Oxford. The demands of the parliament amounted to fourteen articles; those of Charles were confined to six. But two only, the first in each class, came into discussion. No argument could induce the houses to consent, that the king should name to the government of the forts and castles without their previous approbation of the persons to be appointed: and he demurred to their proposal, that both armies should be disbanded, until he knew on what conditions he was to return to his capital. They had limited the duration of the conference to twenty days. He proposed a prolongation of the term. They refused; and he offered as his ultimatum, that April 12.

[15] Journals, 463. 491. 594. Commons' Journals, Dec. 13. It was imposed Nov. 29, 1642.

CHAP. III.

whenever he should be reinstated in the possession of his revenues, magazines, ships, and forts, according to law; when all the members of parliament, with the exception of the bishops, should be restored to their seats, as they held them on the first of January, 1641, and when the two houses should be secure from the influence of tumultuary assemblies, which could only be effected by an adjournment to some place twenty miles distant from London, he would consent to the immediate disbanding of both armies, and would meet his parliament in person. The commons instantly passed a vote to recal the commissioners from Oxford: the lords, though at first they dissented, were compelled to signify their concurrence; and an end was put to the treaty, and to the hopes which it had inspired.[16]

April 14.

Intrigues during the treaty.

During this negociation the houses left nothing to the discretion of their commissioners, the earl of Northumberland, Pierrepoint, Ermyn, Holland, and Whitelock. They were permitted to propose and argue; they had no power to concede.[17] Yet, while they acted in

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[16] See the whole proceedings relative to the treaty in the king's works, 325—397; the Journals of the Lords, v. 659—716, and Rushworth, v. 164—261.

[17] This was a most dilatory and inconvenient arrangement. Every proposal, or demand, or suggestion from the king was sent to the parliament, and its expediency debated. The houses generally disagreed. Conferences were therefore held, and amendments pro-

public according to the tenor of their instructions, they privately gave the king to understand, that he might probably purchase the preservation of the church by surrendering the command of the militia,—a concession which his opponents deemed essential to their own security. At one period they indulged a strong hope of success. At parting, Charles had promised to give them satisfaction on the following day; but during the night he was dissuaded from his purpose; and his answer in the morning proved little short of an absolute denial. Northumberland also made a secret offer of his influence to mollify the obstinacy of the patriots; but Charles, who called that nobleman the most ungrateful of men, received the proposal with displeasure, and to the importunity of his advisers coldly replied, that the service must come first, and the reward might follow after. Whether the parliament began to suspect the fidelity of the commissioners, and on that account recalled them, is unknown. Hyde maintains that the king protracted the negociation to give time for the arrival of the queen, without whom he would come to no determination; but of this no vestige appears in the private correspondence between Charles and his consort; and a sufficient reason for the

posed; new discussions followed, and a week was perhaps consumed before a point of small consequence could be settled.

CHAP. III.

failure of the treaty may be found in the high pretensions of each party, neither of whom had been sufficiently humbled to purchase peace with the sacrifice of honour or safety.[18]

Return of the queen.

It was owing to the indefatigable exertions of Henrietta that the king had been enabled to meet his opponents in the field. During her residence in Holland she had repeatedly sent him supplies of arms and ammunition, and, what he equally wanted, of veteran officers to train and discipline his forces. In February,

Feb. 16.

leaving the Hague, and trusting to her good fortune, she had eluded the vigilance of Batten, the parliamentary admiral, and landed in safety in the port of Burlington on the coast of York-

Feb. 22.

shire. Batten, enraged at his disappointment,

Feb. 24.

anchored on the second night in the road, and discharged above 100 shot at the houses on the quay, in one of which the queen was lodged. Alarmed at the danger, she quitted her bed, and sought shelter till day-light behind the

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[18] See Clarendon's Life, 76—80. Whitelock, 68, and the letters in the king's works, 138—140. Before Henrietta left England, he had promised her to give away no office without her consent, and not to make peace but through her mediation. Charles, however, maintained, that the first regarded not offices of state, but offices of the royal household; and the second seems to have been misunderstood. As far as I can judge, it only meant that whenever he made peace, he would put her forward as mediatrix, to the end that, since she had been calumniated as being the cause of the rupture between him and his people, she might also have in the eyes of the public the merit of effecting the reconciliation. Clarendon's Life, ibid.

nearest hill. No action of the war was more bitterly condemned by the gallantry of the cavaliers than this unmanly attack on a defenceless female, the wife of the sovereign. The earl of Newcastle hastened to Burlington, and escorted her with his army to York. To have pursued her journey to Oxford, would have been to throw herself into the arms of her opponents. She remained four months in Yorkshire, winning the hearts of the inhabitants by her affability, and quickening their loyalty by her words and example.[19]

Fall of Reading.

During the late treaty every effort had been made to recruit the parliamentary army: at its expiration, Hampden, who commanded a regiment, proposed to besiege the king within the city of Oxford. But the ardour of the patriots was constantly checked by the caution of the officers, who formed the council of war. Essex invested Reading; at the expiration of ten days it capitulated; and Hampden renewed his proposal. But the hardships of the siege had already broken the health of the soldiers: and mortality and desertion daily thinned their numbers. Essex found himself compelled to remain six weeks in his new quarters at Reading.

April 27.

If the fall of that town impaired the reputa-

[19] Mercurius Belgic. Feb. 24. Michrochronicon, Feb. 24, 1642-3. Clarendon, ii. 143.

CHAP. III.

tion of the royalists, it added to their strength by the arrival of the 4000 men, who had formed the garrison. But the want of ammunition condemned the king to the same inactivity to which sickness had reduced his adversaries. Henrietta endeavoured to supply this deficiency. In May a plentiful convoy arrived from York: and Charles, before he put his forces in motion, made another offer of accommodation. By the lords it was received with respect; the commons imprisoned the messenger, and Pym, in their name, impeached the queen of high treason against the parliament and kingdom. The charge was met by the royalists with sneers of derision. The lords declined the ungracious task of sitting in judgment on the wife of their sovereign; and the commons themselves, but it was not till after the lapse of eight months, yielded to their reluctance, and silently dropped the prosecution.[20]

May 20.

May 23.

Waller's plot.

In the lower house, no man had more distinguished himself of late, by the boldness of his language, and his fearless advocacy of peace, than Edmund Waller, the poet. In conversation with his intimate friends, he had frequently suggested the formation of a third party, of moderate men, who should "stand in the gap, and unite the king and

[20] Journals, 104. 111. 118. 121. 362. Commons' Journals, May 23, June 21, July 3. 6. 1644. Jan. 10.

CHAP. III.

"the parliament." In this work they calculated on the co-operation of all the lords excepting three, of a considerable number of the lower house, and of the most able among the advisers of the king at Oxford; and that they might ascertain the real opinion of the city, they agreed to portion it into districts, to make lists of the inhabitants, and to divide them into three classes, of moderate men, of royalists, and of parliamentarians. The design had been communicated to lord Falkland, the king's secretary; but it remained in this imperfect state, when it was revealed to Pym by the perfidy or patriotism of of a servant, who had overheard the discourse of his master. Waller, Tompkins his brother-in-law, and half a dozen others, were immediately secured; and an annunciation was made to the two houses of "the discovery of a "horrid plot to seize the city, force the parlia-"ment, and join with the royal army."[21]

May 31.

The leaders of the patriots eagerly improved this opportunity to quell that spirit of pacification, which had recently insinuated itself among their partisans. While the public mind was agitated by rumours respecting the bloody designs of the conspirators, while every moderate man feared that the expression of his sentiments might be taken as an evidence of his participation in the plot, they proposed a new oath and

Solemn vow and covenant.

[21] Journals, June 6.

CHAP. III.

covenant to the house of commons. No one dared to object: and the members unanimously swore, "never to consent to the laying down of "arms, so long as the papists, in open war "against the parliament, should be protected "from the justice thereof, but according "to their power and vocation to assist the "forces raised by the parliament against "the forces raised by the king." The lords, the citizens, and the army followed their example; and an ordinance was published that every man in his parish church should make the same vow and covenant.[22] As for the prisoners, in-

June 6.

June 27.

[22] Ibid. May 31, June 6. 14. 21. 27. 29. Rushworth, v. 322—333. Whitelock, 67. 70. 105. The preamble began thus:—"Where-"as, there hath been and now is in this kingdom a popish and "traitorous plot for the subversion of the true protestant religion, "and liberty of the subject, in pursuance whereof a popish army hath "been raised and is now on foot in divers parts of the kingdom," &c. Journals, June 6. Lords' Journals, vi. 87. I am loath to charge the framers and supporters of this preamble with publishing a deliberate falsehood, for the purpose of exciting odium against the king; but I think it impossible to view their conduct in any other light. The popish plot and popish army were fictions of their own to madden the passions of their adherents. Charles, to refute the calumny, as he was about to receive the communion from the hands of archbishop Usher, suddenly rose, and addressed him thus, in the hearing of the whole congregation:—"My lord, I have to the utmost "of my soul, prepared to become a worthy receiver; and may I so re-"ceive comfort by the blessed sacrament, as I do intend the establish-"ment of the true reformed protestant religion, as it stood in its beauty "in the happy days of queen Elizabeth, without any connivance at "popery. I bless God that in the midst of these publick destrac-"tions, I have still liberty to communicate; and may this sacrament "be my damnation, if my heart do not joyn with my lipps in this "protestation." Rush. v. 346.

CHAP. III.

stead of being sent before a court of law, they were tried by a court-martial. Six were condemned to die: two suffered. Waller saved his life by the most abject submission. "He "seemed much smitten in conscience: he de- "sired the help of godly ministers," and by his entreaties induced the commons to commute his punishment into a fine of £10,000, and an order to travel on the continent. To the question why the principal should be spared, when his assistants suffered, it was answered by some that a promise of life had been made to induce him to confess, by others that too much blood had already been shed in expiation of an imaginary plot.[23]

June 30. July 5.

Death of Hampden.

In the meanwhile Essex, after several messages from the parliament, had removed from Reading, and fixed his head quarters at Tame. One night prince Rupert making a long circuit, surprised Wycomb in the rear of the army, and killed or captured the greater part of two regiments that lay in the town. In his retreat to Oxford, he was compelled to turn on his pursuers at Chalgrove; they charged with more courage than prudence, and were

June 18.

[23] After a minute investigation, I cannot persuade myself that Waller and his friends proceeded further than I have mentioned. What they might have done, had they not been interrupted, is matter of mere conjecture. The commission of array, which their enemies sought to couple with their design, had plainly no relation to it.

CHAP. III.

repulsed with considerable loss. It was in this action that the celebrated Hampden received the wound of which he died. The reputation which he had earned by his resistance to the payment of the ship-money had deservedly placed him at the head of the popular leaders; and his insinuating manner, the modesty of his pretensions, and the belief of his integrity, gave to his opinions an irresistible weight in the lower house. He was one of the members denominated root-and-branch men, who sought not only to lop off the branches, but to tear up the root; and who, while they professed to seek the extirpation of the hierarchy, were believed to have in view the subversion of the throne. The royalists exulted at his death as equal to a victory: the patriots lamented it as a loss which could not be repaired. Both were deceived. Revolutions are the seed-plots of talents and energy. One great leader had been withdrawn: there was no dearth of others to supply his place.[24]

Actions of sir William Waller.

To the root-and-branch men the rank, no less than the inactivity of Essex, afforded a legitimate ground of suspicion. In proportion as he sank in their esteem, they were careful to extol the merits, and flatter the ambition

[24] Rushworth, v. 265. 274. Whitelock, 69, 70. Clarendon, ii. 237. 261.

of sir William Waller. Waller had formerly enjoyed a lucrative office under the crown, but he had been fined in the star chamber, and his wife was a "godly woman;" *her* zeal and his own resentment made him a patriot: he raised a troop of horse for the service, and was quickly advanced to a command. The rapidity of his movements, his daring spirit, and his contempt of military rules, were advantageously contrasted with the slow and cautious experience of Essex: and his success at Portsmouth. Winchester, Chichester, Malmsbury and Hereford, all of which he reduced in a short time, entitled him, in the estimation of his admirers, to the quaint appellation of William the Conqueror. While the forces under Essex were suffered to languish in a state of destitution,[25] an army of 8,000 men well clothed and appointed, was prepared for Waller. But the event proved that his abilities had been overrated. In the course of a week he fought two battles, one near Bath with prince Maurice, the other with lord Wilmot, near Devizes: the first was obstinate but indecisive, the second bloody and disastrous. Waller hastened from the field to the capital, attributing the loss of his army, not to his own errors, but to the jealousy

July 5.

July 13.

[25] His army was reduced to "4000 or 5000 men, and these much "malcontented that their general and they should be misprised, and "Waller immediately prized." Baillie, i. 391. He had 3000 marching men, and 300 sick. Journals, vi. 160.

CHAP. III.

of Essex. His patrons did not abandon their favourite. Emulating the example of the Romans, they met the unfortunate general in triumphal procession, and the speaker of the commons officially returned him thanks for his services to his country.[26]

July 27.

The lords propose a peace.

This tone of defiance did not impose on the advocates of peace. Waller's force was annihilated; the grand army, lately removed to Kingston, had been so reduced by want and neglect, that Essex refused to give it the name of an army: the queen had marched without opposition from Yorkshire to Oxford, bringing to her husband a powerful reinforcement of men, artillery, and stores; and prince Rupert, in the course of three days had won the city and castle of Bristol through the cowardice or incapacity of Nathanael Fiennes, the governor.[27] The cause of the parliament seemed to totter on the brink of ruin: and the lords, profiting of this moment of alarm, sent to the commons six

July 13.

July 26.

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[26] Rushworth, v. 284. 285. Clarendon, ii. 278. 290. Journals, July 27. May, 201—205. His first successes were attributed to colonel Hurry, a Scotchman, though Waller held the nominal command. Baillie, i. 351. But Hurry, in discontent, passed over to the king, and was the planner of the expedition which led to the death of Hampden. Clarendon, ii. 261. Baillie, i. 371.

[27] Fiennes, to clear himself from the imputation of cowardice, demanded a court martial, and Prynne and Walker, who had accused him in their publications, became the prosecutors. He was found guilty, and condemned to lose his head, but obtained a pardon from Essex, the commander-in-chief. Howell, State Trials, iv. 186—293.

resolutions to form the basis of a new treaty. They were favourably received: and after a debate, which lasted till ten at night, it was resolved by a majority of twenty-nine to take them into consideration.[28]

Are opposed by the commons.

But the pacific party had to contend with men of the most determined energy, whom no dangers could appal, no difficulties subdue. The next day was Sunday: and it was spent by them in arranging a new plan of opposition. The preachers from their pulpits described peace as the infallible ruin of the city: the common council voted a petition urging, in the most forcible terms, the continuation of the war; and placards were affixed in the streets, calling on the inhabitants to rise as one man, and prevent the triumph of the malignants. The next morning alderman Atkins carried the petition to Westminster, accompanied by thousands calling out for war, and uttering threats of vengeance against the traitors. Their cries resounded through both the houses; and the lords resolved to abstain from all public business till tranquillity was restored, but the commoners thanked the petitioners for their attachment to the cause of the country. The consideration

Aug. 6.

Aug. 7.

[28] Clarendon paper, ii. 149. The lords had in the last month declared their readiness to treat; but the proceedings had been suspended in consequence of a royal declaration that the houses were not free, nor their votes to be considered as the votes of parliament. Journals, vi. 97. 103. 108.

CHAP. III.

of the resolutions was then resumed: terror had driven the more pusillanimous from the house; and on the second division the party obtained a majority of seven.[29]

Their opponents, however, might yet have triumphed, had they, as was orginally suggested, repaired to the army, and claimed the protection of the earl of Essex. But the lord Say and Mr. Pym hastened to that nobleman and appeased his discontent with excuses and promises. They offered to punish those who had libelled his character: they professed an unbounded reliance on his honour; they assured him that money, clothing, and recruits were already prepared to re-establish his army. Essex was won; and he informed his friends, that he could not conscientiously act against the parliament from which he held his commission. Seven of the lords, almost half of the upper house, immediately retired from Westminster.[30]

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[29] Clarendon, ii. 320. Journals, Aug. 5. 7. Lords, vi. 171. 172. Baillie, i. 390. On the Saturday, the numbers were 94 and 65; on the Monday, 81 and 79; but the report of the tellers was disputed, and on the second division it gave 81 and 89. Two days later, between 2000 and 3000 women (the men dared not appear,) presented a petition for peace, and received a civil answer; but as they did not depart, and some of them used menacing language, they were charged and dispersed by the military, with the loss of several lives. Journals, June 9. Clarendon, iii. 321. Baillie, i. 390.

[30] Clarendon, 323—333. Northumberland repaired to his house at Petworth; the earls of Bedford, Holland, Portland, and Clare, and the lords Lovelace and Conway to Oxford. They were ungraciously received, and most of them returned to the parliament.

CHAP. III.

New preparations for war.

The victorious party proceeded with new vigour in their military preparations. Every effort was made to comply with the demands of Essex. Kimbolton, who on the death of his father had succeeded to the title of earl of Manchester, received a commission to levy 10,000 men in the associated counties of Norfolk, Suffolk, Essex, Cambridge, Ely, and Hertford.[31] An ordinance was passed, empowering the committees in the several counties to press soldiers, gunners, and surgeons: sir Henry Vane, with three colleagues from the lower house, hastened to Scotland to solicit the aid of a Scottish army; and that London might be secure from insult, a line of military communication was ordered to be drawn round the city. Every morning thousands of the inhabitants, without distinction of rank, were summoned to the task in rotation; with drums beating and colours flying they proceeded to the appointed place, and their wives and

[31] The first association was made in the northern counties by the earl of Newcastle in favour of the king, and was afterwards imitated by the counties of Devon and Cornwall. The patriots saw the advantage to be derived from such unions, and formed several among their partisans. The members bound themselves to preserve the peace of the associated counties; if they were royalists, "against "the malevolent and ambitious persons who, in the name of the "two houses, had embroiled the kingdom in a civil war;" if they were parliamentarians, "against the papists and other ill-affected "persons, who surrounded the king." In each, regulations were adopted fixing the number of men to be levied, armed, and trained, and the money which for that purpose was to be raised in each township. Rushworth, v. 66. 94—97. 119. 381.

CHAP. III.

daughters attended to aid and encourage them during the term of their labour. In a few days this great work, extending twelve miles in circuit, was completed, and the defence of the line, with the command of 10,000 men, was intrusted to sir William Waller. Essex, at the repeated request of the parliament, signed the commission, but refused to insert in it the name of his rival. The blank was filled up by order of the house of commons.[32]

Battle of Newbury.

But London was preserved from danger by the insubordination of the royalists. The earl now marquess of Newcastle, had associated the northern counties in favour of the king; he had defeated lord Fairfax, the parliamentary general, at Atherton moor, and had retaken Gainsborough in Lincolnshire, from the forces under the command of Oliver Cromwell. But he could not prevail on his followers to march any further from their homes, or to join the grand army of the royalists in the projected attack upon the metropolis, and Charles, deprived of one half of his expected force, was compelled to adopt a new plan of operations. Turning his back on London, he hastened towards the Severn, and

Aug. 10.

invested Gloucester. That city was defended by colonel Massey, a brave and determined

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[32] May, 214. Journals, July 18, 19. 27. Lords', vi. 149. 158. 175. 184.

officer, with an obstinacy equal to its importance: and Essex, at the head of 12,000 men, undertook to raise the siege. The design was believed impracticable: but all the attempts of the royalists to impede his progress were defeated; and on the twenty-sixth day the discharge of four pieces of cannon from Presbury hills announced his arrival to the inhabitants. The besiegers burnt their huts and retired: and Essex, having spent a few days to recruit his men, and provision the place, resumed his march in the direction of London. On his approach to Newbury, he found the royal army ready to dispute the passage. I shall not attempt to describe a conflict, which has been rendered unintelligible by the confused and discordant narratives of different writers. The king's cavalry appears to have been more than a match for that of the enemy; but it could make no impression on the forest of pikes presented by the infantry. The battle raged till late in the evening, and both armies passed the night in the field, but in the morning the king allowed Essex to march through Newbury, and having ordered prince Rupert to annoy the rear, retired with his infantry to Oxford. The parliamentarians claimed the victory: and their commander having made his triumphal entry into the capital, solicited permission to resign his command, and travel on the continent. To those who sought to

CHAP. III.

Aug. 26.

Sep. 5.

Sep. 20.

CHAP. III.

dissuade him, he objected the distrust with which he had been treated, and the insult which had been offered to him by the authority intrusted to Waller. Several expedients were suggested: but the lord general was aware of his advantage; his jealousy could not be re-

Oct. 9. moved by adulation or submission; and Waller, after a long struggle, was compelled to lay down his command.[33]

New great seal.

As soon as the parliament had recovered from the alarm occasioned by the loss of Bristol, it had found leisure to devote a part of its attention to the civil government of the kingdom. 1°. Serious inconveniences had been experienced from the absence of the great seal, the application of which was held by the lawyers necessary to give validity to several descriptions of writs. Of this benefit the two houses and their adherents were deprived, while the king on his part was able to issue patents and commissions in the accustomed

May 15. form. To remedy the evil, the commons had voted a new seal: the lords demurred: but at

Oct. 11. last their consent was extorted: commissioners were appointed to execute the office of lord keeper, and no fewer than five hundred writs were sealed in one day. 2°. The public administration of justice had been suspended for

[33] Rushworth, v. 286. 290. 293. May, 220—228. Clarendon, iii. 347. Journals, Sept. 26. 28. Oct. 7. 9. Lords', vi. 218. 242. 246. 247. 347. 356.

CHAP. III.

twelve months. The king constantly adjourned the terms from Westminster to Oxford, and the two houses as constantly forbad the judges to go their circuits during the vacations. Now, however, under the authority of the new seal, the courts were opened. The commissioners sate in chancery, and three judges, all that remained with the parliament, Bacon, Reeve, and Trevor, in those of the king's bench, the common pleas, and the exchequer. 3°. The prosecution of the judges on account of their opinions in the case of the ship money, was resumed. Of those who had been impeached, two remained, Berkley and Trevor. The first was fined in twenty, the second in six thousand pounds. Berkley obtained the remission of a moiety of the fine, and both were released from the imprisonment to which they were adjudged.[34]

Commissioners sent to Scotland.

Ever since the beginning of the troubles a thorough understanding had existed between the chief of the Scottish covenanters and the principal of the English reformers. Their views were similar; their object the same. The Scots had, indeed, fought and won: but they held the fruit of their victory by a doubtful tenure, as long as the fate of their "English brethren" depended on the uncertain

[34] Lords' Journals, vi. 214. 252. 264. 301. 318. Commons' Journals, May 15. July 5. Sept. 28. Rushworth, v. 144. 145. 339. 342. 361.

CHAP. III.

chances of war. Both policy and religion prompted them to interfere. The triumph of the parliament would secure their own liberties; it might serve to propagate the pure worship of their kirk. They made known their readiness to furnish assistance: they received thanks for the offer; but to their surprise and irritation, month after month passed away, and still no commissioner arrived to make the expected demand. The fact was, that of the English reformers, many feared to give themselves masters under the name of allies, and the others abhorred the intolerance of a presbyterian kirk, as much as the tyranny of a prelatic church.[35] But the successes of the king had subdued these objections, and in July four commissioners, Vane, Armyn, Hatcher, and Darley, with Marshal, a presbyterian, and Nye, an independent divine, were dispatched with full powers to Scotland.[36]

July 20.

[35] "The jealousy the English have of our nation, beyond all reason, is not well taken. If Mr. Meldrum bring no satisfaction to us quickly as to conformity of church government, it will be a great impediment in their affairs here." Baillie, July 26. i. 372. See also Dalrmple, ii. 144.

[36] The Scots did not approve of this mission of the independent ministers. "Mr. Marshall will be most welcome; but if Mr. Nye, the head of the independents, be his fellow, we cannot take it well." Baillie. i. 372. They both preached before the assembly. "We heard Mr. Marshall with great contentment. Mr. Nye did not please. He touched neither in prayer or preaching the common business. All his sermon was on the common head of spiritual life, wherein he ran out above all our understandings." Id. 388.

CHAP. III.

Aug. 7.

Both the convention of the estates, and the assembly of the kirk had long before been summoned to meet them: their arrival was celebrated as a day of national triumph; and the letters which they delivered from the English parliament were read by some with shouts of exultation, by others with tears of joy.[37]

Solemn league and covenant.

In the very outset of the negociation two important difficulties occurred. The Scots professed a willingness to take up arms, but sought at the same time to assume the character of mediators and umpires, to dictate the terms of reconciliation, and to place themselves in a condition to extort the consent of the opposite parties. From these lofty pretensions they were induced to descend by the obstinacy of Vane, and the persuasions of Johnston of Wariston, one of their ablest statesmen: they submitted to act as the allies of the parliament; but required, as an indispensable preliminary, the sanction of the kirk. It was useless to reply that this was a civil and not a religious treaty. The Scots rejoined, that the two houses had always announced the reformation of religion as the chief of their objects: that they had repeatedly expressed their wish of "a nearer union of both churches:" and that in their last letters to the assembly, they had requested the members to aid them with

[37] Baillie, i. 379. 380. Rushworth, v. 467. 470.

CHAP. III.

their prayers and influence, to consult with their commissioners, and to send some Scottish ministers to join the English divines assembled at Westminster.[38] Under these circumstances, Vane and his colleagues could not refuse to admit a deputation from the assembly, with Henderson the moderator at its head. He submitted to their consideration the form of a "solemn league and covenant," which bound the two nations to prosecute the public incendiaries, to preserve the king's life and authority in defence of the true religion and the liberties of both kingdoms, to extirpate popery, prelacy, heresy, schism, and profaneness, and to establish a conformity of doctrine, discipline, and church government throughout the island. This last clause alarmed the commissioners. They knew that though the majority of the parliamentarians inclined to the presbyterian tenets, there existed among them a numerous and most active party, who deemed all ecclesiastical authority an invasion of the rights of conscience: and they saw that to introduce an obligation so repugnant to the principles of the latter, would be to provoke an open rupture, and to marshal the two sects in hostile array against each other. But the zeal of the Scottish theologians was inexorable; they refused to admit any opening to the toleration of the in-

[38] Journals, vi. 140.

dependents; and it was with difficulty that they were at last persuaded to intrust the wording of the article to two or three individuals of known and approved orthodoxy. By these it was presented in a new and less objectionable form, clothed in such happy ambiguity of language, as to suit the principles and views of all parties. It provided that the kirk should be preserved in its existing purity, and the church of England "be reformed according to the "word of God," (which the independents would interpret in their own sense) and "after "the example of the best reformed churches," among which the Scots could not doubt that theirs was entitled to the first place. In this shape, Henderson with an appropriate preface laid the league and covenant before the assembly; several speakers, admitted into the secret, commended it in terms of the highest praise, and it was immediately approved without one dissentient voice.[39] Aug. 17.

Scots prepare for war.

As soon as the covenant, in its amended shape, had received the sanction of the estates, the most eloquent pens were employed to quicken the flame of enthusiasm. The people were informed, in the cant language of the time, 1°. that the controversy in England was between the Lord Jesus and antichrist with his

[39] Baillie, i. 381. Clarendon, iii. 368—384. Both Vane and Nye were independents.

CHAP. III.

followers: the call was clear: the curse of Meroz would light on all who would not come to help the Lord against the mighty: 2°. that both kirks and kingdoms were in imminent danger; they sailed in one bottom, dwelt in one house, and were members of one body; if either were ruinated, the other could not subsist: Judah could not long continue in liberty, if Israel were led away captive: and 3°. that they had now a fair opportunity of advancing uniformity in discipline and worship: the English had already laid the foundation of a good building by casting out that great idol, prelacy: and it remained for the Scots to rear the edifice, and in God's good time to put on the cap-stone. The clergy called on their hearers "to turn to God by fasting and prayer:" a proclamation was issued summoning all the lieges between the ages of sixteen and sixty to appear in arms, and the chief command of the forces was, at the request of the parliament, accepted by Lesley, the veteran general of the covenanters in the last war. He had indeed made a solemn promise to the king, when he was created earl of Leven, never more to bear arms against him; but he now recollected that it was with the reservation, if not expressed, at least understood, of all cases in which liberty or religion might be at stake.[40]

[40] Rushworth, v. 472. 482. 492. Journals, 139. 312. Baillie, i.

CHAP. III.

Covenant taken in England.

In England the covenant with some amendments was approved by the two houses, and ordered to be taken and subscribed by all persons in office, and generally by the whole nation. The commons set the example: the lords, with an affectation of dignity which exposed them to some sarcastic remarks, waited till it had previously been taken by the Scots. At the same time a league of "brotherly assist-" ance" was negociated, stipulating that the estates should aid the parliament with an army of 21,000 men: that they should place a Scottish garrison in Berwick, and dismantle the town at the conclusion of the war, and that their forces should be paid by England at the rate of £31,000 per month, should receive for their outfit an advance of £100,000, besides a reasonable recompence at the establishment of peace: and should have assigned to them as security the estates of the papists, prelates, and malignants in Nottinghamshire, and the five northern counties. On the arrival of £60,000 the levies began: in a few weeks they were completed; and before the end of the year, Lesley mustered his forces at Hairlaw, the appointed place of rendezvous.[41]

Nov. 29.

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390. 391. "The chief aim of it was for the propagation of our "church discipline in England and Ireland." Id. 393.

[41] Journals, Sept. 14. 21. 25. Oct. 3. Dec. 8. Lords' Journals, vi. 220—224. 243. 281. 289. 364. The amendments were the insertion of "the church of Ireland" after that of England, an expla-

CHAP. III.

Charles seeks aid from Ireland.

This formidable league, this union, cemented by interest and fanaticism, struck alarm into the breasts of the royalists. They had found it difficult to maintain their ground against the parliament alone: they felt unequal to the contest with a new and powerful enemy. But Charles stood undismayed; of a sanguine disposition, and confident in the justice of his cause, he saw no reason to despond; and, as he had long anticipated, so had he prepared to meet this additional evil. With this view he had laboured to secure the obedience of the English army in Ireland against the adherents and emissaries of the parliament. Suspecting the fidelity of Leicester, the lord lieutenant, he contrived to detain him in England: he gave to the commander-in-chief, the earl of Ormond, who was raised to the higher rank of marquess, full authority to dispose of commissions in the army: he appointed sir Henry Tichborne lord justice in the place of Parsons; he compelled the commissioners sent by the two houses to leave the island: and at last obtained an undisputed ascendency by imprisoning, under a charge of treason, four of the counsellors most hostile to his designs.[42]

April 3.

Aug. 1.

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nation of the word prelacy, and the addition of a marginal note, stating, that by the expression "according to the word of God," was meant "so far as we do, or shall in our consciences conceive, "the same according to the word of God," Journals, Sept. 1. 2.

[42] Carte, i. 421. 441. iii. 76. 125. 135.

CHAP. III.

So many reinforcements had successively been poured into Ireland both from Scotland and England, that the army was at length raised to 50,000 men:[43] but of these the Scots seemed to attend to their private interests more than the advancement of the common cause; and the English were gradually reduced in number by want, and desertion, and the casualties of war. They won indeed several battles; they burnt and demolished many villages and towns; but the evil of devastation recoiled upon themselves, and they began to feel the horrors of famine in the midst of the desert which they had made. Their applications for relief were neglected by the parliament, which had converted to its own use a great part of the money raised for the service of Ireland, and felt little inclination to support an army attached to the royal cause. The officers remonstrated in free though respectful language, and the failure of their hopes embittered their discontent, and attached them more closely to the sovereign.[44]

Federative assembly of the catholics.

In the mean while the catholics, by the establishment of a federative government, had consolidated their power, and given an uniform direction to their efforts. It was the care of their leaders to copy the example given by the

[43] Journals, v. 226.

[44] Clarendon, iii. 415—418. 424. Carte's Ormond, iii. 155. 162. 164.

CHAP. III.

Scots, during the successful war of the covenant. Like them they professed a sincere attachment to the person, a profound respect for the legitimate authority, of the monarch: but like them they claimed the right of resisting oppression, and of employing force in defence of their religion and liberties. At their request, and in imitation of the general assembly of the Scottish kirk, a synod of catholic prelates and divines was convened at Kilkenny: a statement

1642. May 10.

of the grievances which led the insurgents to take up arms, was placed before them: and they decided that the grounds were sufficient, and the war was lawful, provided it were not conducted through motives of personal interest or hatred, nor disgraced by acts of unnecessary cruelty. An oath and covenant was ordered to be taken, binding the subscribers to protect, at the risk of their lives and fortunes, the freedom of the catholic worship, the person, heirs, and rights of the sovereign, and the lawful immunities and liberties of the kingdom of Ireland, against all usurpers and invaders whomsoever: and excommunication was pronounced against all catholics who should abandon the covenant or assist their enemies, against all who should forcibly detain in their possession the goods of English or Irish catholics, or of Irish protestants not adversaries to the cause, and against all who should take advantage of the war to murder,

wound, rob, or despoil others. By common consent a supreme council of twenty-four members was chosen, with lord Mountgarret as president, and a day was appointed for a national assembly, which, without the name, should assume the form, and exercise the rights, of a parliament.[45]

Their apologies and remonstrance. 1642. Oct. 1.

This assembly gave stability to the plan of government devised by the leaders. The authority of the statute law was acknowledged, and for its administration a council was established in each county. From the judgment of this tribunal there lay an appeal to the council of the province, which in its turn acknowledged the superior jurisdiction of "the "supreme council of the confederated catho- "lics in Ireland." For the conduct of the war four generals were appointed, one to lead the forces of each province: Owen O'Nial in Ulster, Preston in Leinster, Barry Garret in Munster, and John Burke in Connaught, all of them officers of experience and merit, who had relinquished their commands in the armies of foreign princes to offer their services to their countrymen. Aware that these regulations amounted to an assumption of the sovereign authority, they were careful to convey to the king new assurances of their devotion to his person, and to state to him reasons in justifica-

[45] Belling, Vindiciæ, 4—7. Rushworth, v. 516.

CHAP. III.

tion of their conduct. Their former messengers, though protestants of rank and acknowledged loyalty, had been arrested, imprisoned, and, in one instance at least, tortured by order of their enemies. They now adopted a more secure channel of communication, and transmitted their petitions through the hands of the commander in chief. In these the supreme council detailed a long list of grievances, which they prayed might be redressed. They repelled with warmth the imputation of disloyalty or rebellion. If they had taken up arms, they had been compelled to it by a succession of injuries beyond human endurance, of injuries in their religion, in their honour and estates, and in the liberties of their country. *Their* enemies were the enemies of the king. The men who had sworn to extirpate them from their native soil, were the same who sought to deprive *him* of his crown. They therefore conjured him to summon a new parliament in Ireland, to allow them the free exercise of that religion which they had inherited from their fathers, and to confirm to Irishmen their national rights, as he had already done to his subjects of England and Scotland.[46]

Cessation concluded.

The very first of these petitions, praying for a cessation of arms, had suggested a new line of policy to the king.[47] He privately informed

[46] Carte, iii. 110. 111. 136.

[47] Carte, iii. 99.

CHAP. III.

1643. April 23.

the marquess of Ormond of his wish to employ a portion of the Irish army in England, required him for that purpose to conclude an armistice with the insurgents, and sent him instructions for the regulation of his conduct. This dispatch was secret; it was followed by a public warrant; and that was succeeded by a peremptory command. But much occurred to retard the object, and irritate the impatience of the monarch. Ormond, for his own security, and the service of his sovereign, deemed it politic to assume a tone of superiority, and to reject most of the demands of the confederates, who, he saw, were already divided into parties, and influenced by opposite counsels. The ancient Irish, and the clergy, whose efforts were directed by Scaramp, a papal envoy, warmly opposed the project. Their enemies, they observed, had been reduced to extreme distress: their victorious army under Preston made daily inroads to the very gates of the capital. Why should they descend from the vantage ground which they had gained? why, without a motive, resign the prize when it was brought within their reach? It was not easy to answer their arguments: but the lords of the pale, attached through habit to the English government, anxiously longed for an armistice as the preparatory step to a peace. Their exertions prevailed. A cessation of arms was concluded for twelve months; and the confederates, to

Sep. 15.

CHAP. III.

the surprise of their enemies, consented to contribute towards the support of the royal army the sum of £15,000 in money, and the value of £15,000 in provisions.[48]

A French envoy.

At the same time Charles had recourse to other expedients, from two of which he promised himself considerable benefit. 1°. It had been the policy of the cardinal Richelieu to foment the troubles in England, as he had previously done in Scotland; and his intention was faithfully fulfilled by the French ambassador Senneterre. But in the course of the last year both Richelieu and Louis XIII. died: the regency, during the minority of the young king, devolved on Anne of Austria, the queen mother; and that princess had always professed a warm attachment for her sister in law, Henrietta Maria. Senneterre was superseded by the count of Harcourt, a prince of the house of Lorrain, with the title of ambassador extraor-

[48] Rushworth, v. 548. Carte, ii. App. 1. iii. 117. 131. 159. 160. 166. 168. 172. 174. No one, I think, who has perused all the documents, can doubt that the armistice was necessary for the preservation of the army in Ireland. But its real object did not escape the notice of the two houses, who voted it "destructive to the protestant religion, dis-"honourable to the English nation, and prejudicial to the interests "of the three kingdoms;" and, to inflame the passions of their partisans, published a declaration in which, with their usual adherence to truth, they assert, that the cessation was made at a time when "the famine among the Irish had made them, unnatural and cannibal-"like, eat and feed one upon another," that it had been devised and carried on by popish instruments, and was designed for the better introduction of popery, and the extirpation of the protestant religion. Journals, vi. 238. 289.

CHAP. III.

dinary. The parliament received him with respect in London, and permitted him to proceed to Oxford. Charles, whose circumstances would not allow him to spend his time in diplomatic finesse, immediately demanded a loan of money, an auxiliary army, and a declaration against his rebellious subjects. But these were things which the ambassador had no power to grant. He escaped with difficulty from the importunity of the king, and returned to the capital to negociate with the parliament. There, offering himself in quality of mediator, he requested to know the real grounds of the existing war: but his hope of success was damped by this cold and laconic answer, that, when he had any proposal to submit in the name of the French king, the houses would be ready to vindicate their conduct. Soon afterwards the dispatches from his court were intercepted and opened: among them was discovered a letter from lord Goring to the queen; and its contents disclosed, that Harcourt had been selected on her nomination; that he was ordered to receive his instructions from her and the king; and that Goring was soliciting succour from the French court. This information, with an account of the manner in which it had been obtained, was communicated to the ambassador, who immediately demanded passports, and left the kingdom.[49]

Sep. 13.

Nov. 15.

Nov. 22.

Jan. 10.

[49] Clarendon, iii. 398—403. Journals, vi. 245. 302. 5. 9. 375. 9. 416. Commons, Sept. 14. Oct. 11. Nov. 15. 22. Jan. 10. 12. Feb. 12.

CHAP. III.

2°. Experience had proved to Charles, that the very name of parliament possessed a powerful influence over the minds of the lower classes in favour of his adversaries. To dispel the charm, he resolved to oppose the loyal members to those who remained at Westminster, and summoned by proclamation both houses to meet him at Oxford on the 22d of January in the succeeding year. Forty-three peers, and 118 commoners obeyed:[50] the usual forms of parliament were observed, and the king opened the session with a gracious speech, in which he deplored the calamities of the kingdom, desired them to bear witness to his pacific disposition, and promised them all the freedom and privileges belonging to such assemblies. Their first measure was a letter subscribed by all the members of both houses, and directed to the earl of Essex, requesting him to convey to those "by whom he was trusted," their earnest desire, that commissioners might be appointed on both sides to treat of an accommodation. Essex, having received instructions, replied

Feb. 12. Royalist parliament at Oxford.

1644. Jan. 29.

Jan 30.

[50] If we may believe Whitelock, (80) when the two houses at Westminster were called over, (Jan. 30.) there were 280 members present, and 100 employed on different services. But I suspect some error in the numbers, as the list of those who took the covenant amounts only to 220 names, even including such as took it after that day. (Compare Rushworth, v. 480, with the Journals.) The lords were twenty-two present, seventy-four absent, of whom eleven were excused. Journals, vi. 387. The two houses at Oxford published also their lists of the members, making the commons amount to 175, the lords to 83. But of the latter, several had been created since the commencement of the war.

CHAP. III.

that he could not deliver a letter which neither in its address, nor in its contents, acknowledged the authority of the parliament. Charles himself was next brought forward. He directed his letter to "the lords and commons of parliament assembled at Westminster," and requested, "by the advice of the lords and commons of "parliament assembled at Oxford," the appointment of commissioners to settle the distractions of the kingdom, and particularly the manner "how all the members of both houses "might meet in full and free convention of par- "liament, to consult and treat upon such things "as might conduce to the maintenance of the "true protestant religion, with due conside- "ration to the just ease of tender consciences, "to the settling of the rights of the crown and "of parliament, the laws of the land, and the "liberties and property of the subject." This message the two houses considered as an insult, because it implied that they were not a full and free convention of parliament: in their answer they called on him to join them at Westminster; and in a public declaration denounced the proceeding as "a popish "and jesuitical practice, to allure them by "the specious pretence of peace to disavow "their own authority, and resign themselves, "their religion, laws, and liberties, to the power "of idolatry, superstition, and slavery."[51] In

Mar. 3.

Mar. 9.

[51] Journals, vi. 451. 459. The reader will notice this hint of

CHAP. III.

opposition, the houses at Oxford declared, that the Scots had broken the act of pacification, that all English subjects who aided them, should be deemed traitors and enemies of the state, and that the lords and commons remaining at Westminster, who had given their consent to the coming in of the Scots, or the raising of forces under the earl of Essex, or the making and using of a new great seal, had committed high treason, and ought to be proceeded against as traitors to the king and kingdom.[52] Thus again vanished the prospect of peace; and both parties, with additional exasperation of mind, and keener desires of revenge, resolved once more to stake their hope of safety on the uncertain fortune of war.

Propositions of peace.

But the leaders at Westminster found it necessary to silence the murmurs of many among their own adherents, whose anxiety for

religious toleration, the first which had yet been given from authority, and which a few years before, would have scandalized the members of the church of England, as much as it did now the presbyterians and Scots. But policy had taught that which reason could not. It was now thrown out as a bait to the independents, whose apprehensions of persecution were aggravated by the intolerance of their Scottish allies, and who were on that account suspected of having already made some secret overtures to the court. "Bristol, under his "hand, gives them a full assurance of so full a liberty of their con- "science, as they could wish, inveighing withal against the Scots' cruel "invasion, and the tyranny of our presbytery, equal to the Spanish inquisition." Baillie, i. 428.

[52] Clarendon, iii. 440—454. Journals, 399. 404. 451. 459. 484. 485. Dec. 30. Jan. 16. 30. March 6. 11. Rushworth, v. 559—575. 582—602.

CHAP. III.

the restoration of peace led them to attribute interested motives to the advocates of war. On the first appearance of a rupture, a committee of safety had been appointed, consisting of five lords and ten commoners, whose office it was to perform the duties of the executive authority, subject to the approbation and authority of the houses: now that the Scots had agreed to join in the war, this committee, after a long resistance on the part of the lords, was dissolved, Feb 16. and another established in its place, under the name of the committee of the two kingdoms, composed of a few members from each house, and of certain commissioners from the estates of Scotland.[53] On this new body the peers looked with an eye of jealousy, and, when the commons, in consequence of unfavourable reports, referred to it the task of "preparing "some grounds for settling a just and safe "peace in all the king's dominions," they objected, not to the thing, but to the persons, and appointed for the same purpose a different committee. The struggle lasted six weeks: but the influence of the upper house had diminished April 25. with the number of its members, and the lords were compelled to submit under the cover of an unimportant amendment to maintain their own honour. The propositions now brought April 29.

[53] Journals of Commons, Jan. 30. Feb. 7. 10. 12. 16. Of Lords, Feb. 12. 16.

CHAP. III.

forward as the basis of a reconciliation, were in substance the following: that the covenant with obligation of taking it, the reformation of religion according to its provisions, and the utter abolition of episcopacy, should be confirmed by act of parliament; that the cessation of war in Ireland should be declared void by the same authority; that a new oath should be framed for the discovery of catholics; that the penalties of recusancy should be strictly enforced; that the children of catholics should be educated protestants; that certain English protestants by name, all papists who had borne arms against the parliament, and all Irish rebels, whether catholics or protestants, who had brought aid to the royal army, should be excepted from the general pardon; that the debts contracted by the parliament should be paid out of the estates of delinquents; and that the commanders of the forces by land and sea, the great officers of state, the deputy of Ireland and the judges, should be also named by the parliament, or the commissioners of parliament, to hold their places during their good behaviour. From the tone of these propositions it was evident, that the differences between the parties had become wider than before, and that peace depended on the subjugation of the one by the superior force or the better fortune of the other.[54]

[54] Journals, March 15. 20. 23. 29. 30. Ap. 3. 5. 13. 16. On the question whether they should treat in union with the Scots, the com-

CHAP. III.

Methods of raising money.

Here the reader may pause, and before he proceeds to the events of the next campaign, may take a view of the different financial expedients adopted by the contending parties. Want of money was an evil which pressed equally on both: but it was more easily borne by the patriots, who possessed an abundant resource in the riches of the capital, and were less restrained in their demands by considerations of delicacy or justice. 1°. They were able on the most sudden emergencies to raise considerable supplies by loan from the merchants of the city, who seldom dared to refuse, or if they did, were compelled to yield by menaces of distraint and imprisonment. For all such advances interest was promised at the usual rate of eight per cent., and "the public faith "was pledged for the repayment of the capi-"tal." 2°. When the parliament ordered their first levy of soldiers, many of their partisans subscribed considerable sums in money, or plate, or arms, or provisions. But it was soon asked, why the burthen should fall exclusively on the well-affected; and the houses improved the hint to ordain, that all non-subscribers

mons divided 64 against 64; but the noes obtained the casting vote of the speaker. Baillie, i. 446. See also the Journals of the Lords, vi. 473. 483. 491. 501. 514. 519. 527. 531. Such, indeed, was the dissension among them, that Baillie says they would have accepted the first proposal from the houses at Oxford, had not the news that the Scots had passed the Tweed, arrived a few hours before. This gave the ascendency to the friends of war. Baillie, i. 429. 430.

CHAP. III.

both in the city and in the country, should be compelled to contribute the twentieth part of their estates towards the support of the common cause. 3°. Still the wants of the army daily increased, and as a temporary resource, an order was made that each county should provide for the subsistence of the men whom it had furnished: 4° and this was followed by a more permanent expedient, a weekly assessment of £10,000 on the city of London, and of £24,000 on the rest of the kingdom, to be levied by county rates, after the manner of subsidies. 5°. In addition, the estates both real and personal of all delinquents, that is, all individuals who had borne arms for the king, or supplied him with money, or in any manner, or under any pretence, had opposed the parliament, were sequestrated from the owners, and placed under the management of certain commissioners empowered to receive the rents, to seize the monies and goods, to sue for debts, and to pay the proceeds into the treasury. 6°. In the next place came the excise, a branch of taxation of exotic origin, and hitherto unknown in the kingdom. To it many objections were made; but the ample and constant supply which it promised, ensured its adoption; and after a succession of debates and conferences, which occupied the houses during three months, the new duties, which were in most instances to be paid by the first purchaser, were imposed

both on the articles already subject to the customs, and on a numerous class of commodities of indigenous growth or manufacture.[55] Lastly, in aid of these several sources of revenue, the houses did not refuse another of a more singular description. It was customary for many of the patriots to observe a weekly fast for the success of their cause; and that their purses might not profit by the exercise of their piety, they were careful to pay into the treasury the price of the meal from which they had abstained. If others would not fast, it was at least possible to make them pay; and commissioners were appointed by ordinance to go through the city, to rate every house-keeper at the price of one meal for his family, and to collect the money on every Tuesday during the next six months. By these expedients the two houses contrived to carry on the war, though their pecuniary embarrassments were continually multiplied by the growing accumulation of their debts, and the unavoidable increase of their expenditure.[56]

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[55] It should be observed that the excise in its very infancy extended to strong beer, ale, cider, perry, wine, oil, figs, sugar, raisins, pepper, salt, silk, tobacco, soap, strong waters, and even flesh meat, whether it were exposed for sale in the market, or killed by private families for their own consumption. Journals, vi. 372.

[56] Ibid. v. 460. 466. 482., vi. 108. 196. 209. 224. 248. 250. 272. Commons' Journals, Nov. 26. Dec. 8, 1642. Feb. 23. Sept. 8, 1643. March 26, 1644. Rushworth, v. 71. 150. 209. 313. 748. It should be recollected that according to the devotion of the time,

CHAP. III.

With respect to the king, his first resource was in the sale of his plate and jewels, his next in the generous devotion of his adherents, many of whom served him during the whole war at their own cost; and, rather than become a burthen to their sovereign, mortgaged their last acre, and left themselves and their families without the means of future subsistence. As soon as he had set up his standard, he solicited loans from his friends, pledging his word to requite their promptitude, and allotting certain portions of the crown lands for their repayment—a very precarious security as long as the issue of the contest should remain uncertain. But the appeal was not made in vain. Many advanced considerable sums without reserving to themselves any claim to remuneration, and others lent so freely and abundantly, that this resource was productive beyond his most sanguine expectations. Yet before the commencement of the third campaign, he was compelled to consult his parliament at Oxford. By its advice he issued privy seals, which raised £100,000, and, in imitation of his adversaries, established the excise, which brought him a constant, though not very copious supply. In addition, his garrisons supported themselves by weekly contributions from the neighbouring

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" a fast required a total abstinence from all food, till the fast was " ended." Directory for the publique worship, p. 32.

townships, and the counties which had associated in his favour willingly furnished pay and subsistence to their own forces. Yet, after all, it was manifest that he possessed not the same facilities of raising money with his adversaries, and that he must ultimately succumb through poverty alone, unless he could bring the struggle to a speedy termination.[57]

Battle of Nantwich.

For this purpose both parties had made every exertion, and both Irishmen and Scotsmen had been called into England to fight the battles of the king and the parliament. The severity of the winter afforded no respite from the operations of war. Five Irish regiments, the first fruits of the cessation in Ireland, arrived at Mostyn in Flintshire: their reputation, more than their number, unnerved the prowess of their enemies; no force ventured to oppose them in the field; and, as they advanced, every post was abandoned or surrendered. At length the garrison of Nantwich arrested their progress; and whilst they were occupied with the siege, sir Thomas Fairfax approached with a superior force from Yorkshire. For two hours the Anglo-Irish, under lord Byron, maintained an obstinate resistance against the assailants from without, and the garrison from within the town; but in a moment of despair, 1600 men threw down their arms, and, with a

1643. Nov.

1644. Jan. 15.

Jan. 25.

[57] Rushworth, v. 580. 601. Clarendon ii. 87. 453.

CHAP. III.

few exceptions, entered the ranks of their adversaries. Among the names of the officers taken, occurs that of the celebrated colonel Monk, who was afterwards released from the Tower to act a more brilliant part, first in the service of the commonwealth, and then in the re-establishment of the throne.[58]

Scottish army enters England. Jan. 19.

A few days before this victory, the Scots had passed the Tweed. The notion that they were engaged in a holy crusade for the reformation of religion, made them despise every difficulty: and though the weather was tempestuous, though the snow lay deep on the ground, their enthusiasm carried them forward in a mass which the royalists dared not oppose. Their leader sought to surprise Newcastle: he was disappointed by the promptitude of the mar-

Feb. 2. quess of Newcastle, who, on the preceding day, had thrown himself into the town; and

Feb. 28. famine compelled the enemy, after a siege of three weeks, to abandon the attempt. Marching up the left bank of the Tyne, they

March 4. crossed the river at Bywell, and hastening by Ebchester to Sunderland, took possession of that port to open a communication by sea with their own country. The marquess, having assembled his army, offered them battle; and when they refused to fight, confined them for five weeks within their own quarters. In proportion as their advance into England had

[58] Rush. v. 299. 303.

CHAP. III.

elevated the hopes of their friends in the capital, their subsequent inactivity provoked surprise and complaints. But lord Fairfax having been joined by his victorious son from Cheshire, dispersed the royalists at Leeds under colonel Bellasis, the son of lord Falconberg; and the danger of being enclosed between two armies induced the marquess of Newcastle to retire from Durham to York. He was quickly followed by the Scots: they were joined by Fairfax, and the combined army sat down before the city. Newcastle at first despised their attempts; but the arrival of the earl of Manchester at the head of 14,000 men, convinced him of his danger, and he earnestly solicited succour from the king.[59]

April 11.

April 13.

April 20.

June 3.

Marches and counter marches.

But instead of proceeding with the military transactions in the north, it will here be necessary to advert to those which had taken place in other parts of the kingdom. In the counties on the southern coast several actions had been fought; of which the success was various, and the result unimportant. Every eye fixed itself on the two grand armies in the vicinity of Oxford and London. The parliament professed a resolution to stake the fortune of the cause on one great and decisive battle; and with this view, every effort was made to raise the forces

[59] Rushworth, v. 222. Baillie, ii. 1, 6. 10. 28. 32. Journals, 522.

CHAP. III.

of Essex and Waller, to the amount of 20,000 men. These generals marched in two separate corps, with the hope of enclosing the king, or of besieging him in Oxford.[60] Aware of his inferiority, Charles, by a skilful manœuvre, passed with 7,000 men between the hostile divisions, and arrived in safety at Worcester. The jealousy of the commanders did not allow them to act in concert. Essex directed his march into Dorsetshire; Waller took on himself the task of pursuing the fugitive monarch. Charles again deceived him. He pretended to advance along the right bank of the Severn from Worcester to Shrewsbury; and when Waller, to prevent him, hastened from Broomsgrove to take possession of that town, the king turned at Bewdly, retraced his steps to Oxford, and recruiting his army, beat up the enemy's quarters in Bucking-

June 3.

June 6.

June 15.

June 20.

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[60] When Essex left London, he requested the assembly of divines to keep a fast for his success. The reader may learn from Baillie how it was celebrated. "We spent from nine to five graciously. "After D. Twisse had begun with a brief prayer, Mr. Marshall prayed "large two hours, most divinely confessing the sins of the members "of the assembly in a wonderful, pathetick, and prudent way. Af- "ter Mr. Arrowsmith preached an hour, then a psalm; thereafter "Mr. Vines prayed near two hours, and Mr. Palmer preached an "hour, and Mr. Seaman prayed near two hours, then a psalm; after "Mr. Henderson brought them to a sweet conference of the heat con- "fessed in the assembly, and other seen faults to be remedied, and the "conveniency to preach against all sects, especially anabaptists and "antinomians. Dr. Twisse closed with a short prayer and blessing. "God was so evidently in all this exercise, that we expect certainly a "blessing." Baillie, ii. 18, 19.

hamshire. In two days Waller had returned to the Charwell, which separated the two armies; but an unsuccessful action at Copredy bridge checked his impetuosity, and Charles improving the advantage to repass the river, marched in pursuit of Essex. Waller did not follow: his forces, by fatigue, desertion, and his late loss, had been reduced from 8000 to 4000 men, and the committee of the two kingdoms recalled their favourite general from his tedious and unavailing pursuit.[61] June 29.

During these marches and countermarches, in which the king had no other object than to escape from his pursuers, in the hope that some fortunate occurrence might turn the scale in his favour, he received dispatches from the marquess of Newcastle. The ill-fated prince instantly saw the danger which threatened him. The fall of York would deprive him of the northern counties, and the subsequent junction of the besieging army with his opponents in the south, would constitute a force against which it would be useless to struggle. His only resource was in the courage and activity of prince Rupert. He ordered that commander to collect all the force in his power, to hasten into Yorkshire, to fight the enemy, and to keep in mind that two things were necessary for the Rupert sent to relieve York. June 14.

[61] Rushworth, v. 670—676. Clarendon, iv. 487—493. 497—502. Baillie, ii. 38.

CHAP. III.

preservation of the crown,—both the relief of the city, and the defeat of the combined army.[62]

Battle of Marston moor, Mar. 21.

Rupert early in the spring, had marched from his quarters at Shrewsbury, surprised the parliamentary army before Newark, and after a sharp action compelled it to capitulate. He

May 25.

was now employed in Cheshire and Lancashire,

June 11.

where he had taken Stockport, Bolton, and Liverpool, and had raised the siege of Latham-house, after it had been gallantly defended during eighteen weeks by the resolution of the countess of Derby. On the receipt of the royal command, he took with him a portion of his own men, and some regiments lately arrived from Ireland: reinforcements poured in on his march, and on his approach the combined army deemed it prudent to abandon the works be-

July 1.

fore the city. He was received with acclamations of joy: but left York the next day to fight the bloody and decisive battle of Marston-moor.[63] Both armies amounted to nearly the same number,—23,000 men, of whom two-fifths were cavalry. About five in the afternoon they had formed in line at a short distance from each other, divided only by a narrow ditch or rivulet. A solemn pause ensued, each eyeing the other in the silence of suspense, and awaiting the signal of battle. At seven it was given

[62] See his letter in Evelyn's memoirs, ii. App. 88. It completely exculpates Rupert from the charge of obstinacy and rashness in having fought the subsequent battle of Marston-moor.

[63] Rushworth, v. 307. 623. 631.

by the confederates. Their left charged with resistless impetuosity: the cavalry of the prince, and a portion of the infantry of the centre, were chased from the field; but their right could not bear the shock of the royalists: the men fled in all directions, and the intelligence of their defeat was carried by the fugitives to Tadcaster.

Thus it happened that one half of each army had triumphed; and the victors, on their return to the field, found themselves, to their surprise, opposed to each other, and standing on the very ground which had previously been occupied by the enemy. About nine they formed again: the royalists were broken at the first charge; and, as the change of position cut them off from the road to York, 1500 men, with the whole train of artillery, fell into the hands of the conquerors. Their respective loss in the field is uncertain; but those who buried the slain numbered 4150 dead bodies.[64]

This disastrous battle extinguished the power

[64] Rushworth, v. 632—636. Clarendon, iv. 503. Clarendon attributes the success of the confederates to Fairfax, who turned the fortune of the day when the Scottish army was routed and their general fled; (569) and in p. 503 he asserts that on the side of the confederates, "the Scots fled all ways for many miles together, and that "their general, the earl of Leven, was taken into custody by a con-"stable, and detained part of the next day." This has been described as a falsehood and misrepresentation. Yet there was some foundation for it as appears from Baillie, who acknowledges that Lesley "took "to his heels—only Eglington kept ground there to his great loss." Baillie, ii. 36. "Shame hath fallen on particular men, who turned "their backs, though most obliged to have stood still." p. 40.

CHAP. III.

Surrender of Newcastle.

of the royalists in the northern counties. The prince and the marquess had long cherished a deeply-rooted antipathy to each other. It had displayed itself in a consultation respecting the expediency of fighting; it was not probable that it would be appeased by their defeat. They separated the next morning: Rupert hastening to quit a place where he had lost so gallant an army, returned to his former command in the western counties; Newcastle, whether he despaired of the royal cause, or was actuated by a sense of injurious treatment, taking with him the lords Falconberg and Widdrington, sought an asylum on the continent. York, abandoned to its fate, opened its gates to the enemy, on condition that the citizens should not be molested, and that the garrison should retire to Skipton. The combined army immediately separated by order of the committee of both kingdoms. Manchester returned into Nottinghamshire, Fairfax remained in York, and the Scots, retracing their steps, closed the campaign with the reduction of Newcastle. They had no objection to pass the winter in the neighbourhood of their own country: the parliament felt no wish to see them nearer the English capital.[65]

Again, he congratulates lord Eglington on the honour which he had gained, "when so many with cowardice fell in disgrace worse than death." p. 41.

[65] Clarendon, ii. 504.

CHAP. III.

Essex marches into the west.

In the mean time Essex, impatient of the control exercised by that committee, ventured to act in opposition to its orders, and the two houses, though they reprimanded him for his disobedience, allowed him to pursue the plan which he had formed of dissolving with his army the royalist association in Somersetshire, Devonshire, and Cornwall. He relieved Lime, June 15. which had long been besieged by prince Maurice, one of the king's nephews, and advanced in the direction of Exeter, where the queen a June 16. few days before had been delivered of a daughter. That princess, weary of the dangers to which she was exposed in England, repaired to Falmouth, put to sea with a squadron of July 14. ten Dutch or Flemish vessels, and escaping the keen pursuit of the English fleet from Torbay, reached in safety the harbour of Brest.[66] July 25.

Essex, regardless of the royalists who assembled in the rear of his army, pursued his June 26. march into Cornwall. To most men his con-

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[66] I doubt whether Essex had any claim to that generosity of character which is attributed to him by historians. The queen had been delivered of a princess, Henrietta Maria, at Exeter, and sent to him for a passport to go to Bath or Bristol for the recovery of her health. He refused, but insultingly offered to attend her himself, if she would go to London, where she had been already impeached of high treason. Rushworth, v. 684. I observe that even before the war, when the king had written to the queen to intimate his wish to Essex, as lord chamberlain, to prepare the palace for his reception, she desired Nicholas to do it, adding, "their lordships are to great princes to re-" ceave anye direction from me." Evelyn's mem. ii. App. 78.

CHAP. III.

duct was inexplicable. Many suspected that he sought to revenge himself on the parliament by betraying his forces into the hands of the enemy. At Lestithiel he received two letters, one, in which he was solicited by the king to unite with him in compelling his enemies to consent to a peace, which, while it ascertained the legal rights of the throne, might secure the religion and liberties of the people; another from eighty-four of the principal officers in the royal army, who pledged themselves to draw the sword against the sovereign himself, if he should ever swerve from the principles which he had avowed in his letter. Both were disappointed. Essex sent the letters to the two houses, and coldly replied that his business was to fight, that of the parliament to negociate.

Aug. 6.

His army capitulates.

But he now found himself in a most critical situation, cut off from all intercourse with London, and enclosed between the sea and the combined forces of the king, prince Maurice, and sir Richard Greenville. His cavalry, unable to obtain subsistence, burst, though not without loss, through the lines of the enemy. But each day the royalists won some of his posts; their artillery commanded the small haven of Foy, through which alone he could obtain provisions; and his men, dismayed by a succession of disasters, refused to stand to their colours. In this emergency Essex, with

two other officers, escaped from the beach in a boat to Plymouth; and major-general Skippon offered to capitulate for the rest of the army. On the surrender of their arms, ammunition, and artillery, the men were allowed to march to Pool and Wareham, and thence were conveyed in transports to Portsmouth, where commissioners from the parliament met them with a supply of clothes and money. The lord general repaired to his own house, calling for an investigation both into his own conduct and into that of the committee, who had neglected to disperse the royalists in the rear of his army, and had betrayed the cause of the people, to gratify their own jealousy by the disgrace of an opponent. To soothe his wounded mind, the houses ordered a joint deputation to wait on him, to thank him for his fidelity to the cause, and to express their estimation of the many and eminent services which he had rendered to his country.[67]

Sept. 1.

Third battle of Newbury.

This success elevated the hopes of the king, who, assuming a tone of conscious superiority, invited all his subjects to accompany him to London, and aid him in compelling the parliament to accept of peace. But the energies of his opponents were not exhausted. They quickly recruited their diminished forces: the several corps under Essex, Waller, and Man-

Sept. 30.

[67] Rushworth, v. 683, 4. 690—3. 699—711. Clarend. iv. 511—518—527.

CHAP. III.

chester united; and, while the royalists marched through Whitechurch to Newbury, a more numerous army moved in a parallel direction through Basingstoke to Reading. There the leaders (the lord general was absent under pretence of indisposition), hearing of reinforcements pouring into Oxford, resolved to avail

Oct 27. themselves of their present superiority, and to attack, at the same moment, the royalist positions at Show on the eastern, and at Speen on the western side of the town. The action in both places was obstinate, the result, as late as ten at night, doubtful: but the king, fearing to be surrounded the next day, assembled his men under the protection of Dennington castle, and marched towards Wallingford, a movement which was executed without opposition by the light of the moon, and in full view of

Nov. 9. the enemy. In a few days he returned with a more numerous force, and, receiving the artillery and ammunition, which for security he had left in Dennington castle, conveyed it without molestation to Wallingford. As he passed and repassed, the parliamentarians kept within their lines, and even refused the battle which he offered. This backwardness, whether it arose from internal dissension, or from inferiority of numbers, provoked loud complaints, not only in the capital, where the conflict at Newbury had been celebrated as a victory, but in the two houses, who had ordered the army to fol-

low up its success. The generals, having dispersed their troops in winter quarters, hastened to vindicate their own conduct. Charges of cowardice, or disaffection, or incapacity, were made and retorted by one against the other: and that cause which had nearly triumphed over the king, seemed now on the point of being lost, through the personal jealousies and contending passions of its leaders.[68]

Rise of Cromwell.

The greater part of these quarrels had originated in the rivalry of ambition: but those in the army of the earl of Manchester were produced by religious jealousy, and on that account were followed by more important results. When the king attempted to arrest the five members, Manchester, at that time lord Kymbolton, was the only peer whom he impeached. This circumstance endeared Kymbolton to the party: his own safety bound him more closely to its interests. On the formation of the army of the seven associated counties, he accepted, though with reluctance, the chief command: his temper and education had formed him to shine in the senate rather than the camp; and, aware of his own inexperience, he devolved on his council the chief direction of military operations, reserving to himself the delicate and important charge of harmonizing and keeping together the discordant elements of

[68] Rushworth, v. 715—732. Clarendon, 546—552.

CHAP. III.

which his force was composed. The second in command was Cromwell, with the rank of lieutenant general. That fortunate adventurer, the first cousin and faithful follower of Hampden, had served in the last parliament for Huntingdon, and sat in the present as representative of Cambridge. He was a bold, though not a frequent speaker. The courtiers ridiculed the homeliness of his dress, the sharpness of his voice, and the inelegance of his manners: but Cromwell could always command the attention of the house by the originality of his views and "the fervour of his "eloquence." At the commencement of the war he hastened to raise troops in the eastern counties, and was soon at the head of a regiment of cavalry, all of them freeholders or the sons of freeholders, soldiers from a sense of duty, and enthusiasts both in religion and politics.[69] Though he freely associated with his men, he never forfeited their attachment or obedience: he prayed and fought at their head; and by his courage, and decision, and good fortune, was soon distinguished as one of the most promising among the parliamentary officers. It has been said that he was a dissembler from the beginning, who sought to conceal the workings of his ambition under the affectation of superior piety. But I can discover

[69] Whitelock, 72.

no sufficient ground for the charge. To me he appears to have felt that religious fanaticism which he so fearlessly displayed, and to have owed his first rise towards greatness more to his zeal in the cause, and the native energy of his mind, than to any views of personal interest or aggrandizement.

His quarrel with Manchester.

In the parade of sanctity both Manchester and Cromwell seemed equal proficients: in belief and practice they followed two opposite parties. The first sought the exclusive establishment of the presbyterian system: the other contended for the common right of mankind to worship God according to the dictates of conscience. But this difference of opinion provoked no dissension between them. The more gentle and accommodating temper of Manchester was awed by the superior genius of Cromwell, who gradually acquired the chief control of the army, and offered his protection to the independents under his command. In other quarters these religionists suffered restraint and persecution from the zeal of the presbyterians: the indulgence which they enjoyed under Cromwell scandalized and alarmed the orthodoxy of the Scottish commissioners, who, obtained as a counterpoise to the influence of that officer, the post of major general for Crawford, their countryman, and a rigid presbyterian. Cromwell and Crawford instantly became rivals and enemies. The merit of the

CHAP. III.

victory at Marston moor had been claimed by the independents, who magnified the services of their favourite commander, and ridiculed the flight and cowardice of the Scots. Crawford retorted the charge, and deposed upon oath that Cromwell, having received a slight wound in the neck at the commencement of the action, immediately retired and never afterwards appeared in the field. The lieutenant general in revenge exhibited articles against Crawford before the committee of war, and the colonels

Sept. 5.

threatened to resign their commissions unless he were removed; while on the other hand Manchester and the chaplains of the army gave testimony in his favour, and the Scottish commissioners, assuming the defence of their countryman, represented him as a martyr in the cause of religion.[70]

But before this quarrel was terminated a second of greater importance arose. The indecisive action at Newbury, and the refusal of battle at Dennington had excited the discontent of the public: the lower house ordered an inquiry into the conduct of the generals and the state of the armies: and the report made

Nov. 23.

by the committee of both kingdoms, led to a vote that a plan for the organization of the national force, in a new and more efficient form, should be immediately prepared. Waller and

[70] Baillie, ii. 40, 41, 42. 49. 57. 60. 66. 69. Hollis, 15.

CHAP. III.

Nov. 25.

Cromwell, who were both members of the house, felt dissatisfied with the report. At the next meeting each related his share in the transactions, which had excited such loud complaints; and the latter embraced the opportunity to prefer a charge of disaffection against the earl of Manchester, who, he pretended, was unwilling that the royal power should suffer additional humiliation, and on that account would never permit his army to engage, unless it were evidently to its disadvantage. Manchester in the house of lords repelled the imputation with warmth, vindicated his own conduct, and retorted on his accuser, that he had yet to learn, in what place lieutenant general Cromwell with his cavalry had posted himself on the day of battle.[71]

It is worthy of remark that, even at this early period, Essex, Manchester, and the Scottish commissioners suspected Cromwell with his friends of a design to obtain the command of the army, to abolish the house of lords, divide the house of commons, dissolve the covenant between the two nations, and erect a new government according to his own principles. To defeat this project it was at first proposed, that the chancellor of Scotland should denounce him as an incendiary, and demand his punishment according to the late treaty: but on the

[71] Rushworth, v. 732. Journals, Nov. 22. 23. 25. Lords' Journals, vii. 76. 78. 80. 141. Whitelock, 116.

CHAP. III.

reply of the lawyers whom they consulted, that their proofs were insufficient to sustain the charge, it was resolved that Manchester should accuse him before the lords of having expressed a wish to reduce the peers to the state of private gentlemen; of having declared his readiness to fight against the Scots, whose chief object was to establish religious despotism; and of having threatened to compel, with the aid of the independents, both king and parliament to accept such conditions as he should dictate. This charge, with a written statement by Manchester in his own vindication, was communicated to the commons: and they, after some objections in point of form and privilege, referred it to a committee, where its consideration was postponed from time to time, till at last it was permitted to sleep in silence.[72]

Dec. 2.

First self-denying ordinance.

Cromwell did not hesitate to wreak his revenge on Essex and Manchester, though the blow would probably recoil upon himself. He proposed in the commons, what was afterwards called the "self-denying ordinance," that the members of both houses should be excluded from all offices whether civil or military. His real object was open to every eye: but the motion met with the concurrence of his own party, and of all whose patience had been exhausted by the quarrels among the command-

Dec. 9.

[72] Baillie, ii. 76, 77. Journals, Dec. 2. 4. Jan. 18. Lords' Journals, 79, 80. Whitelock, 116, 117. Hollis, 18.

CHAP. III.

ers: and when an exemption was suggested in favour of the lord-general, it was lost on a division by seven voices, in a house of one hundred and ninety-three members. However, the strength of the opposition encouraged the peers to speak with more than their usual freedom. They contended that the ordinance was unnecessary, since the committee was employed in framing a new model for the army: that it was unjust, since it would operate to the exclusion of the whole peerage from office, while the commons remained equally eligible to sit in parliament, or to fill civil or military employments. It was in vain that the lower house remonstrated. The lords replied that they had thrown out the bill, but would consent to another of similar import, provided it did not extend to commands in the army.[73]

Dec. 17.

1645. Jan. 15.

But by this time the committee of both kingdoms had completed their plan of military reform, which in its immediate operation tended to produce the same effect as the rejected ordinance. It obtained the sanction of the Scottish commissioners, who were willing to sacrifice their friends in the upper house, for the benefit of a measure, which promised to put an end to the feuds and delays of the former system, and to remove from the army Crom-

Army new modelled.

[73] Journals, Dec. 9. 17. Jan. 7. 10. 13. Lords' Journals, 129. 131, 4, 5. Rushw. vi. 3—7.

CHAP. III.

well, their most dangerous enemy. If it deprived them of the talents of Essex and Manchester, which they seem never to have prized, it gave them in exchange a commander-in-chief, whose merit they had learned to appreciate during his service in conjunction with their forces at the siege of York. By the "new "model" it was proposed, that the army should consist of 1000 dragoons, 6600 cavalry in six, and 14,400 infantry in twelve regiments, under sir Thomas Fairfax, as the first, and major-general Skippon, as the second in command. The lords hesitated: but after several conferences and debates they returned it with a few amendments to the commons, and it was published by sound of drum in London and Westminster.[74]

Feb. 15.

Second self-denying ordinance.

This victory was followed by another. Many of the peers still clung to the notion, that it was intended to abolish their privileges. They resolved not to sink without a struggle: they insisted that the new army should take the covenant, and subscribe to the directory for public worship; they refused their approbation to more than one half of the officers named by sir Thomas Fairfax; and they rejected the additional powers offered by the commons to that general. On these subjects the divisions in the house were nearly equal,

[74] Journals, Jan. 9. 13, 25. 27. Feb. 11. 15. Of Lords, 159. 175. 169. 193. 5. 204. Clarendon, ii. 569.

CHAP. II.

and whenever the opposite party obtained the majority, it was by the aid of a single proxy, or of the clamours of the mob. At length a declaration was made by the commons, that "they held themselves obliged to preserve the "peerage with the rights and privileges be- "longing to the house of peers equally as their "own, and would really perform the same." Relieved from their fears, the lords yielded to a power which they knew not how to control: the different bills, and among them the self-denying ordinance, were past; and every member of either house was discharged from all civil and military offices after the expiration of forty days.[75]

March 25.

April 3.

Ecclesiastical occurrences.

Hitherto I have endeavoured to preserve unbroken the chain of military and political events: it is now time to call the attention of the reader to the ecclesiastical occurrences of the two last years.

Persecution of the catholics.

1°. As religion was acknowledged to be the first of duties, to put down popery and idolatry, and to purge the church from superstition and corruption, had always been held out by the parliament as its grand and most important object. It was this which, in the estimation of many of the combatants, gave the chief interest to the quarrel; this which made it, according to the language of the time, "a wrestle be-

[75] Journals, Feb. 25. March 21. Of Lords, 287. 303.

CHAP. III.

"tween Christ and antichrist." 1°. Every good protestant had been educated in the deepest horror of popery: there was a magic in the very word, which awakened the prejudices, and inflamed the passions of men; and the reader must have observed with what art and perseverance the patriot leaders employed it to confirm the attachment, and quicken the efforts of their followers. Scarcely a day occurred in which some order or ordinance, local or general, was not issued by the two houses: and very few of these, even on the most indifferent subjects, were permitted to pass without the assertion, that the war had been originally provoked and was still continued by the papists, for the sole purpose of the establishment of popery on the ruins of protestantism. The constant repetition acted on the minds of the people as a sufficient proof of the charge: and the denials, the protestations, the appeals to heaven made by the king, were disregarded and condemned as unworthy artifices, adopted to deceive the credulous and unwary. Under such circumstances the catholics found themselves exposed to insult and persecution wherever the influence of the parliament extended: for protection they were compelled to flee to the quarters of the royalists, and to fight under their banners; and this again confirmed the prejudice against them, and exposed them to additional obloquy and punishment.

CHAP. III.

But the chiefs of the patriots, while for political purposes they pointed the hatred of their followers against the catholics, appear not to have delighted unnecessarily in blood. They ordered, indeed, searches to be made for catholic clergymen; they offered and paid rewards for their apprehension, and they occasionally gratified the zealots with the spectacle of an execution. The priests who suffered death in the course of the war, amounted on an average to three for each year, a small number, if we consider the agitated state of the public mind during that period.[76] But it was the property of the lay catholics which they chiefly sought, pretending that, as the war had been caused by their intrigues, its expenses ought to be defrayed by their forfeitures. It was ordained that two thirds of the whole estate, both real and personal, of every papist, should be seized, and sold for the benefit of the nation: and that by the name of papist should be understood all

[76] Journals, vi. 133. 254. See their Memoirs in Challoner, ii 209—319. In 1643, after a solemn fast, they ordered the five chaplains of the queen to be apprehended and sent to France, their native country, and the furniture of her chapel at Somerset house to be publicly burnt. The citizens were so edified with the sight, that they requested and obtained permission to destroy the gilt cross in Cheapside. The lord mayor and aldermen graced the ceremony with their presence, and "antichrist" was thrown into the flames, while the bells of St. Peter's rang a merry peal, the city waits played melodious tunes on the leads of the church, the train bands discharged volleys of musquetry, and the spectators celebrated the triumph with acclamations of joy. Parl. Chron. 294. 327.

CHAP. III.

persons, who, within a certain period, had harboured any priest, or had been convicted of recusancy, or had attended at the celebration of mass, or had suffered their children to be educated in the catholic worship, or had refused to take the oath of abjuration; an oath lately devised, by which all the distinguishing tenets of the catholic religion were specifically renounced.[77]

Of the episcopalians.

II. Another and still more important object was the destruction of the establishment, a consummation most devoutly wished by the saints, by all who objected to the ceremonies in the liturgy, or had been scandalized by the pomp of the prelates, or had smarted under the inflictions of their zeal for the preservation of orthodoxy. It must be confessed that these prelates, in the season of prosperity, had not borne their faculties with meekness: that the frequency of prosecution in the ecclesiastical courts had produced irritation and hatred; and that punishments had been often awarded, rigorous beyond the measure of the offence. But the day of retribution arrived. Episcopacy was abolished: an impeachment, suspended over the heads of most of the bishops, kept them in a state of constant apprehension; and the inferior clergy, wherever the parliamentary arms prevailed, suffered all those seve-

[76] Journals, Aug. 17. Elsynge's Collection of Ordinances, 22.

rities which had been formerly inflicted on their dissenting brethren. Their enemies accused them of immorality or malignancy; and the two houses invariably sequestrated their livings, and assigned the profits to other ministers, whose sentiments accorded better with the new standard of orthodoxy and patriotism admitted at Westminster.

The same was the fate of the ecclesiastics in the two universities. These seminaries had early become objects of jealousy and vengeance to the patriots: they had for more than a century inculcated the doctrine of passive obedience, and since the commencement of the war had more than once advanced considerable sums to the king. Oxford, indeed, enjoyed a temporary exemption from their control; but Cambridge was already in their power, and a succession of feuds between the students and the townsmen afforded a decent pretext for their interference. Soldiers were quartered in the colleges; the painted windows and ornaments of the churches were demolished; and the persons of the inmates were subjected to insults and injuries. In January, 1644, an ordinance passed for the reform of the university: and it was perhaps fortunate that the ungracious task, devolved in the first instance on the military commander, the earl of Manchester, who, to a taste for literature, added a gentleness of disposition averse from acts of severity.

1664. Jan. 22.

Under his superintendence the university was "purified;" and ten heads of houses, with sixty-five fellows, were expelled. Manchester confined himself to those who, by their hostility to the parliament, had rendered themselves conspicuous, or through fear had already abandoned their stations: but after his departure the meritorious undertaking was resumed by a committee, and the number of expulsions was carried to two hundred.[78] Thus the establishment gradually crumbled away: part after part was detached from the edifice; and the reformers hastened to raise what they deemed a more scriptural fabric on the ruins.

Synod of divines.

In the month of June, 1643, one hundred and twenty individuals selected by the lords and commons, under the denomination of pious, godly, and judicious divines, were summoned to meet at Westminster: and, that their union might bear a more correct resemblance to the assembly of the Scottish kirk, thirty laymen, ten lords, and twenty commoners, were voted as additional members. The two houses prescribed the form of the meetings and the subject of the debates: they enjoined an oath to be taken at admission, and the obligation of secrecy till each question should be

[78] Journals of Lords, vi. 389. Of Commons, Jan. 20. 1644. Neal l. iii. c. 3. Walker, i. 112. Querela Cantab. In Merc. Rust. 178—210.

determined; and they ordained that every decision should be laid before themselves, and considered of no force until it had been confirmed by their approbation.[79]

Presbyterians and independents.

Of the divines summoned, a portion was composed of episcopalians; and these, through motives of conscience or loyalty, refused to attend: the majority consisted of puritan ministers, anxious to establish the calvinistic discipline and doctrine of the foreign reformed churches: and to these was opposed a small but formidable band of independent clergymen, who, under the persecution of archbishop Laud, had formed congregations in Holland, but had taken the present opportunity to return from exile, and preach the gospel in their native country. The point at issue between these two parties was one of the first importance, involving in its result the great question of liberty of conscience. The presbyterians sought to introduce a gradation of spiritual authorities in presbyteries, classes, synods, and assemblies, giving to these several judicatories the power of the keys, that is, of censuring, suspending, depriving, and excommunicating delinquents. They maintained, that such a power was essential to the church; that to deny it, was to rend into fragments the seamless coat of Christ, to

[79] Journals, vi. 114. 254. Commons, 1643. May 13. June 16, July 6. Sept. 14. Rush. v. 337. 339.

CHAP. III.

encourage disunion and schism, and to open the door to every species of theological war. On the other hand, their adversaries contended that all congregations of worshippers were co-ordinate and independent; that synods might advise, but could not command; that multiplicity of sects must necessarily result from the variableness of the human judgment, and the obligation of worshipping God according to the dictates of conscience; and that religious toleration was the birthright of every human being, whatever were his speculative creed or the form of worship which he preferred.[80]

Demand of toleration.

The weight of number and influence was in favour of the presbyterians. They possessed an overwhelming majority in the assembly, the senate, the city, and the army; the solemn league and covenant had enlisted the whole Scottish nation in their cause; and the zeal of the commissioners from the kirk, who had also seats in the assembly, gave a new stimulus to the efforts of their English brethren. The independents, on the contrary, were few, and could only compensate the paucity of their number by the energy and talents of their leaders. They never exceeded a dozen in the assembly; but these were veteran disputants, eager, fearless, and persevering, whose attachment to their favourite doctrines had been rivetted by the persecution and exile, and who

[80] Baillie, i. 420. 431. ii. 15. 24. 37. 43. 61.

CHAP. III.

had not escaped from the intolerance of one church to submit tamely to the control of another. In the house of commons they could command the aid of several among the master spirits of the age, of Cromwell, Selden, St. John, Vane, and Whitelock; in the capital some of the most wealthy citizens professed themselves their disciples, and in the army their power rapidly increased by the daily accession of the most godly and fanatic of the soldiers. The very nature of the contest between the king and the parliament was calculated to predispose the mind in favour of their principles. It taught men to distrust the claims of authority, to exercise their own judgment on matters of the highest interest, and to spurn the fetters of intellectual as well as of political thraldom. In a short time the independents were joined by the antinomians, anabaptists, millenarians, erastians, and the members of many ephemeral sects, whose very names are now forgotten. All had one common interest: freedom of conscience formed the chain which bound them together.[81]

New directory.

In the assembly each party watched with jealousy, and opposed with warmth, the proceedings of the other. On a few questions they proved unanimous. The appointment of days of humiliation and prayer, the suppression of public and scandalous sins, the prohibition of

[81] Baillie, 398. 408. ii. 3. 19. 43. Whitelock, 169, 170.

CHAP. III.

copes and surplices, the removal of organs from the churches, and the mutilation or demolition of monuments deemed superstitious or idolatrous, were matters equally congenial to their feelings, and equally gratifying to their zeal or fanaticism.[82] But when they came to the more important subject of church government, the opposition between them grew fierce and obstinate: day after day, week after week, was consumed in unavailing debates. The kirk of Scotland remonstrated, the house of commons admonished in vain; and for more than a year the perseverance of the independents held in check the ardour and influence of their more numerous adversaries. Overpowered at last by open force, they had recourse to stratagem; and to distract the attention of the presbyterians, tendered to the assembly a plea for indulgence to tender consciences, while their associate, Cromwell, obtained from the lower house an order, that the same subject should be referred to a committee, formed of lords, and commoners, and Scottish commissioners, and deputies from the assembly. Thus a new apple of discord was thrown among the combatants. The lords Say and Wharton, sir Henry Vane, and Mr. St. John, contended warmly in favour of toleration: they were as warmly opposed by the

[82] Journals, 1643. July 5, 1644. Jan. 16. 29. May 9. Journals of Lords, vi. 209. 507. 546. Baillie, i. 421. ii. 71. Rushw. v. 358. 749.

"divine eloquence of the chancellor" of Scotland, the commissioners from the kirk, and several eminent members of the English parliament. The passions and artifices of the contending parties interposed additional delays, and the year 1644 closed before this interesting controversy could be brought to a conclusion.[83] Eighteen months had elapsed since the assembly was first convened, and yet it had accomplished nothing of importance, except the composition of a directory for the public worship, regulating the order of the service, the administration of the sacraments, the ceremony of marriage, the visitation of the sick, and the burial of the dead. On all these subjects the Scots endeavoured to introduce the practice of their own kirk: but the pride of the English demanded alterations: and both parties consented to a sort of compromise, which carefully avoided every approach to the form of a liturgy; and, while it suggested heads for the sermon and prayer, left much of the matter, and the whole of the manner, to the talents or the inspiration of the minister. In England the book of common prayer was abolished, and the directory substituted in its place by an ordinance of the two houses: in Scotland the latter was commanded to be observed in all churches by

[83] Baillie, ii. 57. 61, 62. 66—68. Journals, Sep. 13. Jan. 24. Of Lords, 70.

CHAP. III.

the joint authority of the assembly and the parliament.[84]

Trial of archbishop Laud.

To the downfall of the liturgy succeeded a new spectacle, the decapitation of an archbishop. The name of Laud, during the first fifteen months after his impeachment, had scarcely been mentioned; and his friends began to cherish a hope that, amidst the din of arms, the old man might be forgotten, or suffered to descend peaceably into the grave. But his death was unintentionally occasioned by the indiscretion of one, whose wish and whose duty it was to preserve the life of the prelate. The lords had ordered the latter to collate the vacant benefices in his gift, on persons nominated by themselves, and the king had forbidden him

1643. Feb. 3.

to obey. The death of the rector of Chartham, in Kent, brought his constancy to the test. The lords named one person to the living, Charles another; and the archbishop, to extricate himself from the dilemma, sought to defer his decision till the right should have lapsed to the

April 21.

crown: but the lords made a peremptory order, and when he attempted to execuse his disobedience, sent a message to the commons to expedite his trial. Perhaps they meant only to intimidate; but his enemies seized the op-

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[84] Baillie, i. 408. 413. 440. ii. 27. 31. 33. 36. 73, 4, 5. Rushw. v. 785. Journals, Sep. 24. Nov. 26. Jan. 1. 4. Mar. 5. Journals of Lords, 119. 121. See "Confessions of Faith, &c. in the "church of Scotland," 159—194.

portunity: a committee was appointed, and the task of collecting and preparing evidence was committed to Prynne, whose tyger-like revenge still thirsted for the blood of his former persecutor.[85] He carried off from the cell of the prisoner his papers, his diary, and even his written defence; he sought in every quarter for those who had formerly been prosecuted or punished at the instance of the archbishop, and he called on all men to discharge their duty to God and their country, by deposing to the crimes of him who was the common enemy of both. May 31.

At the termination of six months the committee had been able to add ten new articles of impeachment to the fourteen already presented: four months later, both parties were ready to proceed to trial, and on the 12th of March, 1664, more than three years after his commitment, the archbishop confronted his prosecutors at the bar of the house of lords. Oct. 23. 1644. Mar. 4.

His defence.

I shall not attempt to conduct the reader through the mazes of this long and wearisome process, which occupied twenty-one days in the course of six months. The many articles presented by the commons might be reduced to three,—that Laud had endeavoured to subvert the rights of parliament, the laws, and the religion of the nation. In support of these,

[85] Laud's History written by Himself in the Tower, 200—206.

CHAP. III.

every instance that could be raked together by the industry and ingenuity of Prynne, was brought forward. The familiar discourse, and the secret writings of the prelate, had been scrutinized; and his conduct, both private and public, as a bishop and a counsellor, in the star-chamber and the high commission court, had been subjected to the most severe investigation. Under every disadvantage, he defended himself with spirit, and often with success. He shewed that many of the witnesses were his personal enemies, or undeserving of credit; that his words and writings would bear a less offensive and more probable interpretation; and that most of the facts objected to him were either the acts of his officers, who alone ought to be responsible, or the common decision of those boards of which he was only a single

Oct. 11.

member.[86] Thus far he had conducted his defence without legal aid: the lords allowed him counsel to speak to matters of law. They contended that not one of the offences alleged against him amounted to high treason; that their number could not change their quality; that an endeavour to subvert the law, or religion, or the rights of parliament, was not treason by any statute; and that the description of an offence so vague and indeterminate ought never to be

[86] Compare his own daily account of his trial in history, 220—421. with that part published by Prynne, under the title of Canterburies doome, 1646, and Rushworth, v. 772.

admitted; otherwise the slightest transgression might, under that denomination, be converted into the highest crime known to the law.[87]

Bill of attainder.

But the commons, whether they distrusted the patriotism of the lords, or doubted the legal guilt of the prisoner, had already resolved to proceed by attainder. After the second reading of the ordinance, they sent for the venerable prisoner to their bar, and ordered Brown, one of the managers, to recapitulate in his hearing the evidence against him, together with his answers. Some days later he was recalled, and suffered to speak in his own defence. After his departure, Brown made a long reply; and the house, without further consideration, passed the bill of attainder, and adjudged him to suffer the penalties of treason.[88] The reader will not fail to observe this flagrant perversion of the forms of justice. It was not as in the case of the earl of Strafford. The commons had not been present at the trial of Laud; they had not heard the evidence, they had not even read the depositions of the witnesses; they pronounced judgment on the credit of the unsworn and partial statement made by their own advocate. Such a proceeding, so subversive of right and equity, would have been highly reprehensible in any court or class of men: it deserved the

Nov. 2.

Nov. 11.

Nov. 13.

[87] See it in Laud's history, 423.

[88] Journals, Oct. 31. Nov. 2. 11. 16, Laud's History, 432—440. Rushworth, v. 780.

CHAP. III.

severest reprobation in that house, the members of which professed themselves the champions of freedom, and were actually in arms against the sovereign, to preserve, as they maintained, the laws, the rights, and the liberties of the nation.

Consent of the lords.

To quicken the tardy proceedings of the peers, the enemies of the archbishop had recourse to their usual expedients. Their emissaries lamented the delay in the punishment of delinquents, and the want of unanimity between the two houses. It was artfully suggested as a remedy, that both the lords and commons ought to sit and vote together in one assembly; and a petition, embodying these different subjects, was prepared and circulated for signatures through the city. Such manœuvres aroused

Nov. 28.

the spirit of the peers. They threatened to punish all disturbers of the peace; they replied with dignity to an insulting message from the commons, and regardless of the clamours of the populace, they spent several days in comparing the proofs of the managers with the defence of the archbishop. At last, in a house

Dec. 17.

of fourteen members, the majority pronounced him guilty of certain acts, but left it to the judges to determine the quality of the offence. Their answer was warily expressed, that nothing of which he had been convicted, was treason by the statute law; and of the law of parliament, the house alone was the proper

judge. In these circumstances the lords informed the commons, that till their consciences were satisfied, they should "scruple" to pass the bill of attainder.[89] CHAP. III. Dec. 23.

It was the eve of Christmas, and to prove that the nation had thrown off the yoke of superstition, the festival was converted, by ordinance of the two houses, into a day of "fasting "and public humiliation."[90] There was much policy in the frequent repetition of these devotional observances. The ministers having previously received instructions from the leading patriots, adapted their prayers and sermons to the circumstances of the time, and never failed to add a new stimulus to the fanaticism of their hearers. On the present occasion the crimes Dec. 26. of the archbishop offered a tempting theme to their eloquence; and the next morning the commons, taking into consideration the last message, intrusted to a committee the task of enlightening the ignorance of the lords. In a Jan. 2. conference the latter were told that treasons are of two kinds; treasons against the king, created by statute, and cognisable by the inferior courts; and treasons against the realm, held so at common law, and subject only to the judg-

[89] Journals, vii. 76. 100. 111.

[90] Journals, 106. In the preceding year, the Scottish commissioners had "preached stoutly against the superstition of Christmas;" but only succeeded in prevailing on the two houses "to profane that "holyday by sitting on it, to their great joy, and some of the assem- "bly's shame." Baillie, i. 411.

CHAP. III.

ment of parliament: there could not be a doubt that the offence of Laud was treason of the second class: nor would the two houses perform their duty, if they did not visit it with the punishment which it deserved. When the question was resumed, several of the lords withdrew; most of the others were willing to be persuaded by the reasoning of the commons; and the ordinance of attainder was passed by the majority, consisting only, if the report be correct, of six members.[91]

Jan. 4.

Execution. 1645. Jan. 10.

The archbishop submitted with resignation to his fate, and appeared on the scaffold with a serenity of countenance and dignity of behaviour, which did honour to the cause for which he suffered. The cruel punishment of treason had been, after some objections, commuted for decapitation, and the dead body was delivered for interment to his friends.[92] On Charles the

[91] Journals, 125, 126. Commons, Dec. 26. Laud's Troubles, 452. Rushworth, v. 781—5. Cyprianus Aug. 528. From the journals it appears that twenty lords were in the house during the day; but we are told in the "Brief relation" printed in the second collection of Somers' Tracts, ii. 287, that the majority consisted of the earls of Kent, Pembroke, Salisbury and Bolingbroke, and the lords North, Gray de Warke and Bruce. Bruce afterwards denied that he had voted.

[92] Several executions had preceded that of the archbishop. Macmahon, concerned in the design to surprise the castle of Dublin, suffered Nov. 22, Sir Alexander Carew, who had engaged to surrender Plymouth to the king, on Dec. 23, and Sir John Hotham and his son, who conceiving themselves ill-treated by the parliament, had entered into a treaty for the surrender of Hull, on the first and second of January. Lord Macguiere followed on Feb. 20.

melancholy intelligence made a deep impression: yet he contrived to draw from it a new source of consolation. He had sinned equally with his opponents in consenting to the death of Strafford, and had experienced equally with them the just vengeance of heaven. But he was innocent of the blood of Laud: the whole guilt was exclusively theirs; nor could he doubt that the punishment would speedily follow in the depression of their party, and the exaltation of the throne.[93]

The very enemies of the unfortunate archbishop admitted that he was learned and pious, attentive to his duties, and unexceptionable in his morals: on the other hand his friends could not deny that he was hasty and vindictive, positive in his opinions, and inexorable in his enmities. To excuse his participation in the arbitrary measures of the council, and his concurrence in the severe decrees of the star-chamber, he alleged, that he was only one among many; and that it was cruel to visit on the head of a single victim the common faults of the whole board. But it was replied, with great appearance of truth, that, though only one, he was the chief; that his authority and influence swayed the opinions both of his sovereign and his colleagues; and that he must not expect to escape the just reward of his crimes, because he had possessed the ingenuity to make others his associates in guilt. Yet I am

[93] See his letter to the queen, Jan. 14th, in his works, 145.

CHAP. III.

of opinion that it was religious, and not political rancour, which led him to the block. Could the zealots have forgiven his conduct as archbishop, he might have lingered out the remainder of his life in the tower. There was, however, little difference in this respect between them and their victim. Both were equally obstinate, equally infallible, equally intolerant. As long as Laud ruled in the zenith of his power, deprivation awaited the non-conforming minister, and imprisonment, fine, and the pillory were the certain lot of the writer, who dared to lash the real or imaginary vices of the prelacy. His opponents were now become lords of the ascendant, and they exercised their sway with similar severity on the orthodox clergy of the establishment, and on all who dared to arraign before the public the new reformation of religion. Surely the consciousness of the like intolerance might have taught them to look with a more indulgent eye on the past errors of their fallen adversary, and to spare the life of a feeble old man bending under the weight of seventy-two years, and disabled by his misfortunes from offering opposition to their will, or affording aid to their enemies.[94]

[94] I have not noticed the charge of endeavouring to introduce popery. It was certainly shewn that he wished to retain several religious ceremonies which had been consecrated in his estimation by the practice of christian antiquity: in every other respect both his conduct and his writings completely disprove the imputation.

CHAP. IV.

CHARLES I.

TREATY AT UXBRIDGE—VICTORIES OF MONTROSE IN SCOTLAND—DEFEAT OF THE KING AT NASEBY—SURRENDER OF BRISTOL—CHARLES SHUT UP WITHIN OXFORD—MISSION OF GLAMORGAN TO IRELAND—HE IS DISAVOWED BY CHARLES, BUT CONCLUDES A PEACE WITH THE IRISH—THE KING INTRIGUES WITH THE PARLIAMENT, THE SCOTS, AND THE INDEPENDENTS—HE ESCAPES TO THE SCOTTISH ARMY—REFUSES THE CONCESSIONS REQUIRED—IS DELIVERED UP BY THE SCOTS.

CHAP. IV.

Dissensions at court.

WHENEVER men spontaneously risk their lives and fortunes in the support of a particular cause, they are wont to set a high value on their services, and generally assume the right of expressing their opinions and of interfering with their advice. Hence it happened that the dissensions and animosities in the court and army of the unfortunate monarch were scarcely less violent or less dangerous than those which divided the parliamentary leaders. All thought themselves entitled to offices and honours

CHAP. IV.

from the gratitude of the sovereign: no appointment could be made which did not deceive the expectations and excite the murmurs of numerous competitors; and complaints were everywhere heard, cabals were formed, and the wisest plans were frequently controlled and defeated, by men who thought themselves neglected or aggrieved. When Charles, as one obvious remedy, removed the lord Wilmot from the command of the cavalry, and the lord Percy from that of the ordnance, he found that he had only aggravated the evil; and the dissatisfaction of the army was further increased by the substitution of his nephew prince Rupert, whose severe and imperious temper had earned him the general hatred, in the place of Ruthen, who on account of his infirmities, had been advised to retire.[1]

Another source of most acrimonious controversy was furnished by the important question of peace or war, which formed a daily subject of debate in every company, and divided the royalists into several factions. Some there were (few indeed in number, and chiefly those whom the two houses by their votes had excluded from all hopes of pardon,) who contended that the king ought never to lay down his arms, till victory should enable him to gi e the law to his enemies; but the rest, wearied

[1] Clarendon, ii. 482. 513. 554.

CHAP. IV.

out with the fatigues and dangers of war, and alarmed by the present sequestration of their estates, and the ruin which menaced their families, most anxiously longed for the restoration of peace. These, however, split into two parties: one which left the conditions to the wisdom of the monarch; the other which not only advised, but occasionally talked of compelling a reconciliation on almost any terms, pretending that, if once the king were reseated on his throne, he must quickly recover every prerogative which he might have lost. As for Charles himself, he had already suffered too much by the war, and saw too gloomy a prospect before him, to be indifferent to the subject: but, though he was now prepared to make sacrifices, from which but two years before he would have recoiled with horror, he had still resolved never to subscribe to conditions irreconcileable with his honour and conscience; and in this temper of mind he was confirmed by the frequent letters of Henrietta from Paris, who reminded him of the infamy which he would entail on himself, were he, as he was daily advised, to betray to the vengeance of the parliament the protestant bishops, and catholic royalists, who, trusting to his word, had ventured their all for his interest.[2] He had now assembled his parliament for the

[2] This is the inference which I have drawn from a careful perusal of the correspondence between Charles and the queen in his works,

CHAP. IV.

second time: but the attendance of the members was thin, and the inconvenience greater than the benefit. Motions were made ungrateful to the feelings, and opposed to the real views of the king, who, to free himself from the more obtrusive and importunate of these advisers, sent them into honourable exile, by appointing them to give their attendance on his queen during her residence in France.[3]

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p. 142—150. Some writers have come to a different conclusion: that he was insincere, and under the pretence of seeking peace, was in reality determined to continue the war. That he prepared for the resumption of hostilities is indeed true: but the reason which he gives to the queen is satisfactory, "the improbability that this present "treaty should produce a peace, considering the great strange dif- "ference (if not contrariety) of grounds that are betwixt the rebels' "propositions and mine, and that I cannot alter mine, nor will they "ever theirs, until they be out of the hope to prevail by force." p. 146. Nor do I see any proof that Charles was governed, as is pretended, by the queen. He certainly took his resolutions without consulting her, and, if she sometimes expressed her opinion respecting them, it was no more than any other woman in a similar situation would have done. "I have nothing to say, but that you have a care "of your honour: and that if you have a peace, it may be such as "may hold; and if it fall out otherwise, that you do not abandon "those who have served you, for fear they do forsake you in your "need. Also I do not see how you can be in safety without a regi- "ment of guard: for myself, I think I cannot be, seeing the malice "which they have against me and my religion, of which I hope you "will have a care of both. But in my opinion, religion should be the "last thing upon which you should treat: for if you do agree upon "strictness against the catholics, it would discourage them to serve "you; and if afterwards there should be no peace, you could never "expect succours either from Ireland, or any other catholic prince, "for they would believe you would abandon them after you have "served yourself." p. 142, 143.

[3] See the letters in Charles's works, 142—148. "I may fairly

CHAP. IV.

Proposal of treaty.

In the last summer the first use which he had made of each successive advantage, was to renew the offer of opening a negociation for peace. It convinced the army of the pacific disposition of their sovereign, and it threw on the parliament, even among their own adherents, the blame of continuing the war. At length, after the third message, the houses gave a tardy and reluctant consent; but it was not before they had received from Scotland the propositions formerly voted as the only basis of a lasting reconciliation, had approved of the amendments suggested by their allies, and had filled up the blanks with the specification of the acts of parliament to be passed, and with the names of the royalists to be excepted from the amnesty. It was plain to every intelligent man in either army that to lay such a foundation of peace was in reality to proclaim perpetual hostilities:[4] but the king, by the advice of his council, consented to make it the subject of a treaty for two ends, to discover whether it was the resolution of the houses to adhere without any modification to these high preten-

"expect to be chidden by thee for having suffered thee to be vexed "by them (Wilmot being already there, Percy on his way, and "Sussex within a few days of taking his journey) but that I know "thou carest not for a little trouble to free me from great incon- "venience." Ibid. 150.

[4] Journals, vii. 53. The very authors of the propositions did not expect that the king would ever submit to them. Baillie, ii. 8. 43. 73.

CHAP. IV.

sions, and to make the experiment, whether it were not possible to gain one of the two factions, the presbyterians or the independents, or at least to widen the breach between them by furnishing new causes of dissension.[5]

Negociation at Uxbridge. 1645. Jan. 30.

At Uxbridge, within the parliamentary quarters, the commissioners from the two parties met each other. Those from the parliament had been commanded to admit of no deviation from the substance of the propositions already voted: to confine themselves to the task of shewing that their demands were conformable to reason, and therefore not to be refused; and to insist that the questions of religion, the militia, and Ireland, should each be successively debated during the term of three days, and continued in rotation till twenty days had expired, when, if no agreement were made, the treaty should terminate. They demanded that episcopacy should be abolished, and the directory be substituted in place of the book of common prayer, that the command of the army and navy should be vested in the two houses, and intrusted by them to certain com-

[5] Charles was now persuaded even to address the two houses by the style of "the lords and commons assembled in the parliament of "England at Westminster," instead of "the lords and commons of "parliament assembled at Westminster," which he had formerly used. Journals, vii. 91. He says he would not have done it, if he could have found two in the council to support him. Works, 144. Evelyn's mem. ii. app. 90.

missioners of their own appointment, and that the cessation in Ireland should be broken, and hostilities should be immediately renewed. The king's commissioners replied, that his conscience would not allow him to consent to the proposed change of religious worship, but that he was willing to consent to a law restricting the jurisdiction of the bishops within the narrowest bounds, granting every reasonable indulgence to tender consciences, and raising on the church property the sum of £100,000 towards the liquidation of the public debts: that on the subject of the army and navy he was prepared to make considerable concessions, provided the power of the sword were, after a certain period, to revert, unimpaired to him and his successors; and that he could not, consistently with his honour, break the Irish treaty, which he had after mature deliberation subscribed and ratified. Much of the time was spent in debates respecting the comparative merits of the episcopal and presbyterian forms of church government, and in charges and recriminations as to the real authors of the distress and necessity which had led to the cessation in Ireland. On the twentieth day nothing had been concluded. A proposal to prolong the negociation was rejected by the two houses, and the commissioners returned to London and Oxford. The royalists had, however, discovered that Vane, St. John,

Feb. 22.

CHAP. IV.

and Prideaux had come to Uxbridge not so much to treat, as to act the part of spies on the conduct of their colleagues: and that there existed an irreconcilable difference of opinion between the two parties, the presbyterians seeking the restoration of royalty, provided it could be accomplished with perfect safety to themselves, and with the legal establishment of their religious worship, while the independents sought nothing less than the total downfall of the throne, and the extinction of the privileges of the nobility.[6]

Demands of Irish catholics.

Both parties again appealed to the sword, but with very different prospects before them; on the side of the royalists all was lowering and gloomy, on that of the parliament bright and cheering. The king had derived but little of that benefit which he expected from the cessation in Ireland. He dared not withdraw the bulk of his army before he had concluded a peace with the insurgents: and they, aware of his difficulties, combined their demands, which he knew not how to grant, with an offer of aid which he was unwilling to refuse. They demanded freedom of religion, the repeal of Poyning's law, a parliamentary settlement of their estates, and a general amnesty, with this exception, that an enquiry should be instituted

[6] See Journals, vii. 163. 166. 169. 174. 181. 195. 211. 231. 239. 242—254. Clarendon, ii. 578—600.

into all acts of violence and bloodshed not consistent with the acknowledged usages of war, and that the perpetrators should be punished according to their deserts, without distinction of party or religion. It was the first article which presented the chief difficulty. The Irish urged the precedent of Scotland: they asked no more than had been conceded to the covenanters; they had certainly as just a claim to the free exercise of that worship, which had been the national worship for ages, as the Scots could have to the exclusive establishment of a form of religion, which had not existed during an entire century. But Charles, in addition to his own scruples, feared to irritate the prejudices of his protestant subjects. He knew that many of his own adherents would deem such a concession an act of apostacy; and he conjured the Irish deputies not to solicit that which must prove prejudicial to him, and therefore to themselves: let them previously enable him to master their common enemies: let them place him in a condition "to make them happy," and he assured them on the word of a king, that he would "not "disappoint their just expectations."[7] They were not, however, to be satisfied with vague promises, which might afterwards be interpreted as it suited the royal convenience: and

[7] Clarendon, Irish rebellion, 25.

CHAP. IV.

Charles, to throw the odium of the measure from himself on his Irish counsellors, transferred the negociation to Dublin, to be continued by the new lord lieutenant, the marquess of Ormond. That nobleman was at first left to his own discretion. He was then authorised to promise the non-execution of the penal laws for the present, and their repeal on the restoration of tranquillity; and, lastly, to stipulate for their immediate repeal, if he could not otherwise subdue the obstinacy, or remove the jealousy of the insurgents. The treaty at Uxbridge had disclosed to the eyes of the monarch the abyss which yawned before him: he saw "that the aim of his adversaries was a "total subversion of religion and regal power," and he commanded Ormond to conclude the peace whatever it might cost, provided it should secure the persons and properties of the Irish protestants, and the full exercise of the royal authority in the island.[8]

[8] Carte's Ormond, ii. App. xii. xiv. xv. xviii. iii. cccxxxi. He thus states his reasons to the lord lieutenant. "It being now ma- "nifest that the English rebels have, as far as in them lies, given "the command of Ireland to the Scots (they had made Lesley, earl "of Leven, commander-in-chief of all the English as well as Scot- "tish forces in Ireland) that their aim is the total subversion of religion "and regal power, and that nothing less will content them, or pur- "chase peace here; I think myself bound in conscience not to let "slip the means of settling that kingdom (if it may be) fully under "my obedience, nor lose that assistance which I may hope from my "Irish subjects, for such scruples as in a less pressing condition "might reasonably be stuck at by me. .. .. .. If the suspension

CHAP. IV.

Victories of Montrose in Scotland.

In Scotland an unexpected but transient diversion had been made in favour of the royal cause. The earls, afterwards marquesses, of Antrim and Montrose, had met in the court at Oxford. In abilities Montrose was inferior to few, in ambition to none. He had originally fought in the ranks of the covenanters, but disdaining to be commanded by a subject, had transferred his services to Charles, and aspired to the glory of restoring the ascendency of the royalists in Scotland. At first all his plans were defeated by the jealousy or wisdom of Hamilton: but Hamilton gradually sunk, and Montrose rose in proportion in the esteem of his sovereign.[9] Antrim, his associate, was weak and capricious, but proud of his imaginary consequence, and eager to engage in undertakings to which neither his means nor his talents were equal. He had failed in his original

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" of Poining's act for such bills as shall be agreed upon between " you there, and the present taking away of the penal laws against " papists by a law, will do it, I shall not think it a hard bargain, " so that freely and vigorously they engage themselves in my assist- " ance against my rebels of England and Scotland, for which no " conditions can be too hard, not being against conscience or ho- " nour." Charles's Works, 149, 150.

[9] See the charges against Hamilton, and his answers in Burnet's memoirs, p. 250. It had been observed that he always contrived to be on good terms with the Scottish patriots, which cast such doubt on his fidelity that Charles ordered him to be arrested on his arrival at Oxford, Dec. 16, 1643, and to be confined in Pendennis castle in Cornwall. His brother Laneric was taken with him, but made his escape. Clarendon, ii. 458.

CHAP. IV.

attempt to surprise the castle of Dublin; and had twice fallen into the hands of the Scots in Ulster, and twice made his escape: still his loyalty or presumption was unsubdued, and he had come to Oxford to make a third tender of his services. Both Antrim and Montrose professed themselves the personal enemies of the earl of Argyle, appointed by the Scottish estates lieutenant of the kingdom: and they speedily arranged a plan, which possessed the double merit of combining the interest of the king with the gratification of private revenge. Having obtained the royal commission,[10] Antrim proceeded to Ulster, raised eleven or fifteen hundred men among his dependents, and dispatched them to the opposite coast of Scotland, under the command of his kinsman sir Alaster M'Donald. Montrose, who in disguise, and with two attendants had reached the foot of the Grampian hills, instructed the strangers to meet him in Athol, where he unfurled the royal standard, published his commission for the king, and summoned the highland clans to his aid. To the astonishment of the covenanters an army appeared to rise out

1644. July 8.

[10] He was authorized to treat with the confederate catholics for 10,000 men: if their demands were too high, to raise as many men as he could and send them to the king, to procure the loan of 2000 men to be landed in Scotland, and to offer Monroe, the Scottish commander, the rank of earl and a pension of £2000 per annum, if with his army he would join the royalists. Jan. 20, 1644. Clarendon papers. ii. 165.

of the earth in a quarter the most remote from danger: but it was an army better adapted to the purpose of predatory invasion than of permanent warfare. Occasionally it swelled to the amount of several thousands: as often it dwindled to the original band of Irishmen under M'Donald. These, having no other resource than their courage, faithfully clung to their gallant commander in all the vicissitudes of his fortune: the highlanders, that they might secure their plunder, frequently left him to flee before the superior multitude of his foes.

The first who dared to meet the royalists in the field, was the lord Elcho, whose defeat at Tippermuir gave to the victors the town of Perth, with a plentiful supply of military stores and provisions. From Perth they marched towards Aberdeen: the lord Burley with his army fled at the first charge; and the pursuers entered the gates with the fugitives. The citizens had experienced the severity of Montrose, when he fought for the covenant: they found that he was not less vindictive now that he commanded for the crown. The pillage continued four days; the highlanders disappeared with the spoil; and Argyle approached with a superior force. Montrose, followed by the enemy, led his Irishmen into Bamff, proceeded along the right bank of the Spey, crossed the mountains of Badenoch, marched

Sept. 1.

Sept. 12.

CHAP. IV.

through Athol into Angus, faeed the Scots at Faivy castle, and suddenly retraeed his steps into the north. Argyle, fatigued with this obstinate and fruitless pursuit, retired to his castle of Innerrera, where he reposed in security amidst mountains deemed impassable to an army. But neither the obstacles of nature, nor the inelemeney of the season, eould arrest the impetuosity of Montrose. He penetrated

Dec. 13. through defiles ehoked up with snow, compelled his enemy to save himself in an open boat on the sea, and spent seven weeks in wreaking his revenge on the domains and the clansmen of the fugitive. Shame and passion brought

1645. Feb. 2. Argyle again into the field. He overtook the plunderers at Innerloehy, in Lochabar; but afraid of the prowess of Montrose, refused to mingle in the fight, and from a boat in the midst of the lake viewed the advanee of the enemy, the shock of the combatants and the discomfiture of his men. The conquerors now bent their mareh to the south, and Dundee must have yielded to their repeated assaults, had not a more numerous army approaehed, formed of new levies intermixed with veterans from the Scottish forces in England and Ireland.

April 4. Dundee was saved: and the royalists regained by rapid marches their fastnesses in the north. Sueh was the short and eventful campaign of Montrosc. His victories, exaggerated by report, and embellished by the fancy of the

hearers, cast a faint and deceitful lustre over the declining cause of royalty. But they rendered no other service. His passage was that of a meteor, scorching every thing in its course. Wherever he appeared, he inflicted the severest injuries: but he made no permanent conquest: he taught the covenanters to tremble at his name, but he did nothing to arrest that ruin which menaced the throne and its adherents.[11]

State of the two parties in England.

England, however, was the real arena on which the conflict was to be decided, and in England the king soon found himself unable to cope with his enemies. He still possessed about one third of the kingdom. From Oxford he extended his sway almost without interruption to the extremity of Cornwall: north and south Wales, with the exception of the castles of Pembroke and Montgomery, acknowledged his authority; and the royal standard was still unfurled in several towns in the midland counties.[12] But his army, under the nominal command of the prince of Wales, and the real command of prince Rupert, was frittered away in a multitude of petty garrisons, and languished in a state of the most alarming insubordination. The generals divided into factions, presumed to disobey the royal orders, and refused

[11] See Rushworth, v. 928—932. vi. 228. Guthry, 162—183. Baillie, ii. 64, 65. 92—95. Clarendon, ii. 606. 618. Wishart, 67. 110. Journals, vii. 566.

[12] Rushworth, vi. 18—22.

CHAP. IV.

to serve under an adversary or a rival; the officers indulged in every kind of debauchery; the privates lived at free quarters; and the royal forces made themselves more terrible to their friends by their licentiousness, than to their enemies by their valour.[13] Their excesses provoked new associations in the counties of Wilts, Dorset, Devon, Somerset, and Worcester, known by the denomination of clubmen, whose primary object was the protection of private property, and the infliction of summary vengeance on the depredators belonging to either army. These associations were encouraged and organized by the neighbouring gentlemen: arms of every description were collected for their use; and they were known to assemble in numbers of four, six, and even ten thousand men. Confidence in their own strength, and the suggestions of their leaders, taught them to extend their views: they invited the adjoining counties to follow their example, and talked of putting an end by force to the unnatural war which depopulated the country. But though they professed the strictest neutrality between the contending parties, their meetings excited a well founded jealousy on

[13] Clarendon, ii. 604. 633. 636. 642. 661. 668. "Good men are "so scandalized at the horrid impiety of our armies, that they will "not believe that God can bless any cause in such hands." Lord Culpeper to Lord Digby. Clarendon papers, ii. 189. Carte's Ormond, iii. 396. 399.

the part of the parliamentary leaders: who, the moment it could be done without danger, pronounced such associations illegal, and ordered them to be suppressed by military force.[14]

The army after the new model.

On the other side the army of the parliament had been reformed according to the ordinance. The members of both houses had resigned their commissions, with the exception of a single individual, the very man with whom the measure had originated, lieutenant general Cromwell. This by some writers has been alleged as a proof of the consummate art of that adventurer, who sought to remove out of his way the men that stood between him and the object of his ambition: but the truth is,

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[14] Clarend. ii. 665. Whitelock, Mar. 4. 11. 15. Rushw. vi. 52, 53. 61, 62. But the best account of the clubmen is to be found in a letter from Fairfax to the committee of both kingdoms, preserved in the Journals of the Lords, vii. 184. They wore white ribbons for a distinction, prevented, as much as they were able, all hostilities between the soldiers of the opposite parties, and drew up two petitions in the same words, one to be presented to the king, the other to the parliament, praying them to conclude a peace, and in the mean time to withdraw their respective garrisons out of the country, and pledging themselves to keep possession of the several forts and castles, and not to surrender them without a joint commission from both king and parliament. Fairfax observes, that "their heads had either been 'in actual service in the king's army, or were known favourers of 'the party. In these two counties, Wilts and Dorset, they are abun-'dantly more affected to the enemy than to the parliament. I know 'not what they may attempt." Ibid. At length the two houses declared all persons associating in arms without authority, traitors to the commonwealth. Journals, vii. 549.

CHAP. IV.

that his continuation in the command was effected by a succession of events which he could not possibly have foreseen. He had been sent with Waller to oppose the progress of the royalists in the west: on his return he was ordered to prevent the junction of the royal cavalry with their forces under the king; and he then received a commission to protect the associated counties from insult. While he was employed in this service, the term appointed by the ordinance approached: but Fairfax expressed his unwillingness to part with so experienced an officer at such a crisis, and the two houses consented that he should remain forty days longer with the army. Before they expired, the great battle of Naseby had been fought; in consequence of the victory the ordinance was suspended three months in his favour, and ever afterwards the same indulgence was reiterated as often as it became necessary.[15]

It was evident that the army had lost nothing by the exclusion of members of parliament, and the change in its organization. The commanders were selected from those who had already distinguished themselves by the splendour of their services, and their devotion to the cause; the new regiments were formed of

[15] Journals, Feb. 27. May 10. June 16. Aug. 8. Lords' Journ. vii. 420. 535.

privates, who had served under Essex, Manchester, and Waller, and care was taken that the majority of both should consist of that class of religionists denominated independents. These men were animated with an enthusiasm of which at the present day we cannot form an adequate conception. They divided their time between military duties and prayer: they sung psalms as they advanced to the charge: they called on the name of the Lord, while they were slaying their enemies. The result shewed that fanaticism furnished a more powerful stimulus than loyalty: the soldiers of God proved more than a match for the soldiers of the king.[16]

Battle of Naseby. May 7.

Charles was the first to take the field. He marched from Oxford at the head of ten thousand men, of whom more than one half were cavalry: the siege of Chester was raised at the sole report of his approach; and Leicester, an important post in possession of the parliament, was taken by storm on the first assault. Fairfax appeared with his army before Oxford, where he expected to be admitted by a party within the walls; but the intrigue failed, and he received orders to proceed in search of the

May 31.

[16] Essex, Manchester, and Denbigh, reluctantly tendered their resignations the day before the ordinance passed. The first died in the course of the next year, (Sept. 14): and the houses to express their respect for his memory, attended the funeral, and defrayed the expense out of the public purse. Lords' Journals, viii. 508. 533.

CHAP. IV.

king.[17] On the evening of the seventh day his van overtook the rear of the royalists between Daventry and Harborough. Fairfax and his officers hailed with joy the prospect of a battle. They longed to refute the bitter taunts and sinister predictions of their opponents in the two houses; to prove that want of experience might be supplied by the union of zeal and talent; and to establish by a victory over the king, the superiority of the independent over the presbyterian party. Charles, on the contrary, had sufficient reason to decline an engagement. His numbers had been diminished by the necessity of leaving a strong garrison in Leicester, and several reinforcements were still on their march to join the royal standard. But in the presence of the roundheads the cavaliers never listened to the suggestions of

June 14. prudence. The king yielded to their importunities:[18] early in the morning his army was formed in the usual manner, with the infantry in the centre, and the cavalry on the wings; and the whole line gallantly advanced, notwithstanding the disadvantage of the rising ground,

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[17] Lords' Journals, vii. 429. 431.

[18] So little did Charles anticipate the approach of the enemy, that on the 12th he amused himself with hunting, and on the 13th at supper time wrote to secretary Nicholas that he should march the next morning, and proceed through Landabay and Melton to Belvoir, but no further. Before midnight he had resolved to fight. See his letter in Evelyn's memoirs, ii. App. 97.

to charge a more numerous enemy. Prince Rupert commanded on the right. The enemy fled before him: six pieces of cannon were taken, and Ireton, the general of the parliamentary horse, was wounded, and for some time a prisoner in the hands of the victors.[19] But the lessons of experience had been thrown away upon Rupert. He urged the pursuit with his characteristic impetuosity, and while he wandered from the field, suffered the victory to be won by the masterly conduct of Oliver Cromwell.

That commander found himself opposed to the cavalry under sir Marmaduke Langdale. By both the fight was maintained with obstinate valour: but superiority of numbers enabled the former to press on the flanks of the royalists, who began to waver, and at last turned their backs and fled. Cromwell prudently checked the pursuit, and leaving four squadrons to watch the fugitives, directed the remainder of his force against the rear of the royal infantry. That body of men, only 3500 in number, had hitherto fought with the most heroic valour,

[19] Ireton was of an ancient family in Nottinghamshire, and bred to the law. He raised a troop of horse for the parliament at the beginning of the war, and accepted a captain's commission in the new modelled army. At the request of the officers, Cromwell had been lately appointed general of the horse, and at Cromwell's request, Ireton was made commissary general under him. Journals, vii. 421. Rushworth, vi. 42.

CHAP. IV.

and had driven the enemy's line, with the exception of one regiment, back on the reserve: but this unexpected charge broke their spirit; they threw down their arms and asked for quarter. Charles, who had witnessed their efforts and their danger, made every exertion to save them; he collected several bodies of horse; he put himself at their head; he called on them to follow him; he assured them that one more effort would secure the victory. But the appeal was made in vain. Instead of attending to his prayers and commands, they fled, and forced him to accompany them. The pursuit was continued with great slaughter almost to the walls of Leicester; and one hundred females, some of them ladies of distinguished rank, were reckoned among those who perished in the flight. In this fatal battle, fought near the village of Naseby, the king lost more than 5000 men, 9000 stand of arms, his park of artillery, the baggage of the army, and with it his own cabinet, containing private papers of the first importance. Out of these the parliament made a collection, which was published, with remarks, to prove to the nation the falsehoods of Charles, and the justice of the war.[20]

[20] For this battle see Clarendon, ii. 655. Rushworth vi. 42. and the Journal, vii. 433—436. The publication of the king's papers has been severely censured by his friends, and as warmly defended by the advocates of the parliament. If their contents were of a na-

CHAP. IV.

Its consequences.

After this disastrous battle the campaign presented little more than the last and feeble struggles of an expiring party. Among the royalists hardly a man could be found who did not pronounce the cause to be desperate: and, if any made a shew of resistance, it was more through the hope of procuring conditions for themselves, than of benefiting the interests of their sovereign. Charles himself bore his misfortunes with an air of magnanimity, which was characterised as obstinacy by the desponding minds of his followers. As a statesman he acknowledged the hopelessness of his cause: as a Christian he professed to believe that God would never allow rebellion to prosper: but

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ture to justify the conduct of the latter, I see not on what ground it could be expected that they should be suppressed. The only complaint which can reasonably be made, and which seems founded in fact, is that the selection of the papers for the press was made unfairly. The contents of the cabinet were several days in possession of the officers, and then submitted to the examination of a committee of the lower house; by whose advice certain papers were selected and sent to the lords, with a suggestion that they should be communicated to the citizens in a common hall. But the lords required to see the remainder: twenty-two additional papers were accordingly produced: but it was at the same time acknowledged that others were still kept back, because they had not yet been deciphered. By an order of the commons the papers were afterwards printed with a preface containing certain passages in them with the king's former protestations. Journals, June 23. 26. 30. July 3. 7. Lords, vii. 467. 469.) Charles himself acknowledges that the publication, as far as it went, was genuine (Evelyn's Memoirs, App. 101.); but he also maintains that other papers, which would have served to explain doubtful passages, had been purposely suppressed, Clarendon papers, ii. 187. See Baillie, ii. 136.

CHAP. IV.

let whatever happen, he at least would act as honour and conscience called on him to act: his name should not descend to posterity, as the name of a king who had abandoned the cause of God, injured the rights of his successors, and sacrificed the interests of his faithful and devoted adherents.[21] From Leicester he retreated to Hereford: from Hereford to Ragland castle, the seat of the loyal marquess of Worcester; and thence to Cardiff, that he might more readily communicate with prince Rupert at Bristol. Each day brought him a repetition of the most melancholy intelligence. Leicester had surrendered almost at the first summons; the forces under Goring, the only body of royalists deserving the name of an army, were defeated by Fairfax at Lamport; Bridgewater hitherto deemed an impregnable fortress, capitulated after a short siege; a chain of posts extending from that town to Lime on the southern coast, cut off Devonshire and Cornwall, his principal resources, from all communication with the rest of the kingdom; and, what was still worse, the dissensions which raged among his officers and partisans in those counties, could not be appeased either by the necessity of providing for the common safety, or by the presence and authority of the

July 3.

June 17.

July 10.

July 23.

[21] Rushw. vi. 132. Clarendon, ii. 680.

prince of Wales.[22] To add to his embarrassments, his three fortresses in the north, Carlisle, Pontefract, and Scarborough, which for eighteen months had defied all the efforts of the enemy, had now fallen, the first into the hands of the Scots, the other two into those of the parliament. Under this accumulation of misfortunes many of his friends, and among them Rupert himself, hitherto the declared advocate of war, importuned him to yield to necessity, and to accept the conditions offered by the parliament. He replied that they viewed the question with the eyes of mere soldiers and statesmen: but he was a king, and had duties to perform, from which no change of circumstances, no human power, could absolve him, to preserve the church, protect his friends, and transmit to his successors the lawful rights of the crown: God was bound to support his own cause: he might for a time permit rebels and traitors to prosper, but he would ultimately humble them before the throne of their sovereign.[23] Under this

June 28.

July 21. July 25.

July 31.

[22] Clarendon, ii. 663. et seq. Rushw. vi. 50. 55. 57. Carte's Ormond, iii. 423.

[23] Clarendon, ii. 679. Lords' Journals, vii. 667. Only three days before his arrival at Oxford, he wrote (August 25) a letter to secretary Nicholas, with an order to publish its contents, that it was his fixed determination, by the grace of God, never, in any possible circumstances, to yield up the government of the church to papists, presbyterians, or independents, nor to injure his successors by lessening the ecclesiastical or military power bequeathed to him by his predecessors, nor to forsake the defence of his friends, who had risked their lives and fortunes in his quarrel. Evelyn's memoirs. ii. App. 104.

CHAP. IV.

persuasion he pictured to himself the wonderful things to be achieved by the gallantry of Montrose in Scotland, and he looked forward with daily impatience to the arrival of an imaginary army of twenty thousand men from Ireland. But from such dreams he was soon awakened by the rapid increase of disaffection in the population around him, and by the rumoured advance of the Scots to besiege the city of Hereford. From Cardiff he hastily crossed the kingdom to
Aug. 21. Newark. Learning that the Scottish cavalry were in pursuit, he left Newark, burst into the associated counties, ravaged the lands of his enemies, took the town of Huntingdon, and
Aug. 28. at last reached in safety his court at Oxford. It was not, that in this expedition he had in view any particular object. His utmost ambition was, by wandering from place to place, to preserve himself from falling into the hands of his enemies before the winter: in that season the severity of the weather would afford him sufficient protection, and he doubted not, that against the spring the victories of Montrose, the pacification of Ireland, and the compassion of his foreign allies, would enable him to resume hostilities with a powerful army, and with more flattering prospects of success.[24]

At Oxford Charles heard of the brilliant

[24] Clarendon, ii. 677. Rushw. vi. 131. Carte's Ormond, iii, 415. 416. 418. 420. 423. 427. Baillie, ii. 152.

CHAP. IV.

Victory of Montrose at Kilsyth.

action fought at Kilsyth, near Stirling. Baillie, the general of the covenanters, with a superior but irregular force, had taken up a defensive position, but was compelled, if we may credit his own narrative, to abandon his plan by order of the committee from the estates. While he prepared to attack, he was prevented by Montrose. His cavalry broke at the first charge; the infantry immediately fled, and 5000 men perished in a pursuit of twelve miles. Glasgow and the neighbouring shires solicited the clemency of the conqueror: the citizens of Edinburgh sent to him the prisoners who had been condemned for their adherence to the royal cause; and many of the nobility, hastening to his standard, accepted commissions to raise forces in the name of the sovereign. At this news the Scottish horse, which had reached Nottingham, marched back to the Tweed to protect their own country; and the king on the third day left Oxford with 5000 men, to drive the infantry from the siege of Hereford. They did not wait his arrival, and he entered the city amidst the joyful acclamations of the inhabitants.[25]

Aug. 15.

Aug. 26.

[25] Rushworth, vi. 230. Guthry, 194. Baillie, ii. 156, 157. This defeat perplexed the theology of that learned man. "I confess "I am amazed, and cannot see to my mind's satisfaction, the reasons "of the Lord's dealing with that land. .. .. .. What means "the Lord, so far against the expectation of the most clearsighted, "to humble us so low, and by his own immediate hand, I confess "I know not." Ibid.

CHAP. IV.

Surrender of Bristol. Sept. 10.

But Charles was not long suffered to enjoy his triumph. Full of confidence he marched from Hereford to the relief of Bristol: at Ragland castle he learned that it was already in possession of the enemy. This unexpected stroke quite unnerved him. That a prince of his family, an officer whose reputation for courage and fidelity was unblemished, should surrender in the third week of the siege an important city, which he had promised to maintain for four months, appeared to him incredible. His mind was agitated with suspicion and jealousy. He knew not whether to attribute the conduct of his nephew to cowardice, or despondency, or disaffection; but he foresaw and lamented its baneful influence on the small remnant of his followers. In the anguish

Sept. 14.

of his mind he revoked the commission of the prince, and commanded him to quit the kingdom: he instructed the council to watch his conduct, and on the first sign of disobedience to take him into custody; and he ordered the arrest of his friend colonel Legge, and appointed sir Thomas Glenham to succeed him as governor of Oxford. ‘ Tell my son,” he adds, “ that I shall lesse grieeve to heare that “ he is knocked in the head, than that he “ should doe so meane an action as is the “ surrendering of Bristoll castell and fort upon “ the termes it was.”[26]

[26] Clarendon, ii. 693. Rushw. vi. 66—82. Journals, vi. 584.

CHAP. IV.

The loss of Bristol was followed by the extinction of the royal party in Scotland. At Philiphaugh, near Selkirk, Lesley, with his cavalry had surprised the vigilance of Montrose, whose followers were cut to pieces, while their leader escaped with difficulty to the highlands.[27] Thus in a moment vanished those brilliant hopes with which the king had consoled himself for his former losses; but the activity of his enemies allowed him no leisure to indulge his grief: they had already formed a lodgement within the suburbs of Chester, and threatened to deprive him of that, the only port by which he could maintain a communication with Ireland. He hastened to its relief, and was followed at the distance of a day's journey by Pointz, a parliamentary officer. It was the king's intention that two attacks, one from the city, the other from the country, should be simultaneously made on the camp of the besiegers; and with this view he left the greater part of the royal cavalry at Routenheath, under sir Marmaduke Langdale, while he entered Chester himself with the remainder in the dusk of the evening. It chanced that Pointz meditated a similar attempt with the aid of the

Defeat of royalists at Chester.

Sept. 13.

Sept. 23.

Evelyn's memoirs, ii. App. 108. The suspicion of Legge's fidelity was infused into the royal mind by Digby. Charles wished him to be secured, but refused to believe him guilty without better proofs. Ibid, 111.

[27] Rushw. vi. 237. Guthry, 201. Journals, vi. 584.

CHAP. IV.

besiegers, on the force under Langdale; and the singular position of the armies marked the following day with the most singular vicissitudes of fortune. Early in the morning the royalists repelled the troops under Pointz; but a detachment from the camp restored the battle, and forced them to retire under the walls of the city. Here, with the help of the king's guards, they recovered the ascendency, but suffered themselves in the pursuit to be entangled among lanes and hedges lined with infantry, by whom they were thrown into irremediable disorder. Six hundred troopers fell in the action, more than 1000 obtained quarter, and the rest were scattered in every direction. The next night Charles repaired to Denbigh, collected the fugitives around him, and skilfully avoiding Pointz, hastened to Bridgenorth, where he was met by his nephew Maurice from the garrison of Worcester.[28]

Sept. 23.

Sept. 31.

Of lord Digby at Sherburn.

The only confidential counsellor who attended the king in this expedition was lord Digby. That nobleman, unfortunately for the interest of his sovereign, had incurred the hatred of his party; of some on account of his enmity to prince Rupert, of the general officers because he was supposed to sway the royal mind, even in military matters; and of all who desired peace, because to his advice was attributed the

[28] Clarendon, ii. 712. Rush. vi. 117. Journals, vi. 608

obstinacy of Charles in continuing the war. It was the common opinion that the king ought to fix his winter quarters at Worcester; but Digby, unwilling to be shut up during four months in a city of which the brother of Rupert was governor, persuaded him to proceed to his usual asylum at Newark. There, observing that the discontent among the officers increased, he parted from his sovereign, but on an important and honourable mission. The northern horse, still amounting to 1500 men, were persuaded by Langdale to attempt a junction with the Scottish hero, Montrose, and to accept of Digby as commander-in-chief. The first achievement of the new general was the complete dispersion of the parliamentary infantry in the neighbourhood of Doncaster. But in a few days his own followers were dispersed by colonel Copley at Sherburne. They rallied at Skipton, forced their way through Westmoreland and Cumberland, and penetrated as far as Dumfries, but could no where meet with intelligence of their Scottish friends. Returning to the borders, they disbanded near Carlisle, the privates retiring to their homes, the officers transporting themselves to the isle of Man. Langdale remained at Douglas; Digby proceeded to the marquess of Ormond in Ireland.[29]

Oct. 4.

Oct. 12.

[29] Clarendon hist. ii. 714. Clarendon papers, ii. 199. Rushw. vi. 131.

CHAP. IV.

The king retires to Oxford.

Charles, during his stay at Newark, was made to feel that, with his good fortune, he had lost his authority. His two nephews, the lord Gerard, and about twenty other officers, entered his chamber, and, in rude and insulting language, charged him with ingratitude for their services, and undue partiality for the traitor Digby. The king lost the command of his temper, and, with more warmth than he was known to have betrayed on any other occasion, bade them quit his presence for ever. They
Oct. 29. obeyed, and the next morning they received passports to go where they pleased. But it was now time for the king himself to depart. The enemy's forces multiplied around Newark, and the Scots were advancing to join the block-
Nov. 3. ade. In the dead of the night he stole, with 500 men, to Belvoir castle; thence with the aid of experienced guides, he threaded the numerous posts of the enemy; and on the second day reached, for the last time, the walls of
Nov. 5. Oxford. Yet if he were there in safety, it was owing to the policy of the parliament, who deemed it more prudent to reduce the counties of Devon and Cornwall, the chief asylum of his adherents. For this purpose Fairfax, with the grand army, sat down before Exeter: Cromwell had long ago swept away the royal garrisons between that city and the metropolis.[30]

[30] Clarendon, ii. 719—723. Rushw. vi. 80—95. Journals, 671. 672.

CHAP IV.

His intrigues with the Irish.

The reader will have frequently remarked the king's impatience for the arrival of military aid from Ireland. It is time to notice the intrigue on which he founded his hopes, and the causes which led to his disappointment. All his efforts to conclude a peace with the insurgents had failed through the obstinacy of the ancient Irish, who required as an indispensable condition the legal establishment of their religion.[31] The Catholics, they alleged, were the people of Ireland: they had now regained many of the churches, which not a century before had been taken from their fathers; and they could not in honour or conscience resign them to the professors of another religion. Charles had indulged a hope that the lord lieutenant would devise some means of satisfying their demand without compromising the character of his sovereign:[32] but the scruples or caution of Ormond compelled him to look out for a minister of a less timid and more accommodating disposition, and he soon found one in the lord Herbert, a catholic, and son to the marquess of Worcester. Herbert felt the most devoted attachment to his sovereign. He had lived with him for twenty years in habits of intimacy; in conjunction with his father he had spent above £200,000 in support of the

Mission of Glamorgan.

[31] Rinuccini's MS. Narrative.

[32] See the correspondence in Carte's Ormond, ii. App. xv. xviii. xx. xxii. iii. 372. 387. 401. Charles's Works, 155.

CHAP. IV.

royal cause; and both had repeatedly and publicly avowed their determination to stand or fall with the throne. To him therefore the king explained his difficulties, his views, and his wishes. Low as he was sunk, he had yet a sufficient resource left in the two armies in Ireland. With them he might make head against his enemies; and re-establish his authority. But unfortunately this powerful and necessary aid was withheld from him by the obstinacy of the Irish catholics, whose demands were such, that to grant them publicly, would be to forfeit the affection and support of all the protestants in his dominions. He knew but of one way to elude the difficulty, the employment of a secret and confidential minister, whose credit with the catholics would give weight to his assurances, and whose loyalty would not refuse to incur danger or disgrace for the benefit of his sovereign. Herbert cheerfully tendered his services. It was agreed that he should negociate with the confederates for the immediate aid of an army of 10,000 men; that as the reward of their willingness to serve the king, he should make to them certain concessions on the point of religion; that these should be kept secret, as long as the disclosure might be likely to prejudice the royal interests; and that Charles, in the case of discovery, should be at liberty to disavow the proceedings of Herbert, till he might find himself in a

situation to despise the complaints and the malice of his enemies.[33]

1645. Jan. 2.

For this purpose, Herbert, (now created earl of Glamorgan,) was furnished, 1°. with a commission to levy men, to coin money, and to employ the revenues of the crown for their support; 2°. with a warrant to grant on certain conditions to the catholics of Ireland, such concessions as it was not prudent for the king or the lieutenant openly to make; 3°. with a promise on the part of Charles to ratify whatever engagements his envoy might conclude, even if they were contrary to law; 4°. and with different letters for the pope, the nuncio, and the several princes from whom subsidies were expected. But care was taken that none of these documents should come to the knowledge of the council. The commission was not sealed in the usual manner: the names of the persons to whom the letters were to be addressed, were not inserted; and all the papers were in several respects informal, for this purpose, that the king might have a plausible pretext to deny their authenticity in the event of a premature disclosure.[34]

Mar. 12.

Who concludes a secret treaty.

Glamorgan proceeded on his chivalrous mission, and after many adventures and escapes, landed in safety in Ireland. That he communicated the substance of his instructions to

[33] Clarendon papers, ii. 201.

[34] See the authorities in note (B).

CHAP. IV.

Ormond, cannot be doubted: and if there were aught in his subsequent proceedings of which the lord lieutenant remained ignorant, that ignorance was affected and voluntary.[35] At Dublin both joined in the negociation with the catholic deputies: from Dublin Glamorgan proceeded to Kilkenny; where the supreme council, satisfied with his authority, and encouraged by the advice of Ormond, concluded

Aug. 25. with him a treaty, by which it was stipulated that the catholics should enjoy the public exercise of their religion, and retain all churches, and the revenues of churches, which were not actually in possession of the established clergy, and that in return they should, against a certain day, supply the king with a body of ten thousand armed men, and should devote two thirds of the ecclesiastical revenues to his service during the war.[36]

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[35] See the authorities in note (B).

[36] Dr. Leyburn, who was sent by the queen to Ireland in 1647, tells us on the authority of the nuncio and the bishop of Clogher, "that my lord of Worcester (Glamorgan) was ready to justify that "he had exactly followed his instructions, and particularly that con- "cerning the lord lieutenant, whom he had made acquainted with "all that he had transacted with the Irish, of which he could pro- "duce proof." Birch, Inquiry, 322. Nor will any one doubt it, who attends to the letter of Ormond to lord Muskerry on the 11th of August, just after the arrival of Glamorgan at Kilkenny, in which, speaking of Glamorgan, he assured him, and through him the council of the confederates, that he knew "no subject in England upon "whose favour and authority with his majesty, they can better rely "than upon his lordship's, nor . . . with whom he (Ormond) would "sooner agree for the benefit of this kingdom." (Birch, 62.) and

CHAP. IV.

It is discovered.

To the surprise of all who were not in the secret, the public treaty now proceeded with unexpected facility. The only point in debate between the lord lieutenant and the deputies, respected their demand to be relieved by act of parliament from all penalties for the performance of the divine service and the administration of the sacraments, after any other form than that of the established church. Ormond was aware of their ulterior object: he became alarmed; and insisted on a proviso, that such article should not be construed to extend to any service performed, or sacraments administered, in cathedral or parochial churches. After repeated discussions, two expedients were suggested; one, that in place of the disputed article should be substituted another, providing that any concession with respect to religion which the king might afterwards grant, should be considered as making part of the present treaty; the other, that no mention should be made of religion at all, but that the lieutenant should sign a private engagement, not to molest the catholics in the possession of those churches which they now held, but leave the question to the decision of a free parliament. Nov. 11.

another to Glamorgan himself on Feb. 11th, in which he says, "your lordship may securely go on in the way you have proposed "to yourself, to serve the king, without fear of interruption from me, "or so much as inquiring into the means you work by." Ibid. 163. See also another letter, of April 6th, in Leland, iii. 283.

CHAP. IV.

To this both parties assented: and the deputies returned to Kilkenny to submit the result of the conferences to the judgment of the general assembly.[37]

But before this the secret treaty with Glamorgan, which had been concealed from all but the leading members of the council, had by accident come to the knowledge of the parliament. About the middle of October, the titular archbishop of Tuam was slain in a skirmish between two parties of Scots and Irish near Sligo: and in the carriage of the prelate were found duplicates of the whole negociation. The discovery was kept secret; but at Christmas Ormond received a copy of these important papers from a friend, with an intimation that the originals had been for some weeks in possession of the committee of both nations in London. It was evident that to save the royal reputation some decisive measure must be immediately taken. A council was called: Digby complained of the presumption of Glamorgan in negociating the treaty without authority from the sovereign, or the participation of the lord lieutenant: and that nobleman was ordered into close custody in the castle, under a charge of suspicion of high treason. The council dispatched an account of these proceedings to Charles; and Digby, who had considered himself as confidential minister, and looked on the

Oct. 17.

[37] Compare Carte, i. 548. with Belling, Vindiciæ, 11. 13.

concealment which had been practised towards him as a personal affront, expressed his sentiments with a warmth and freedom not the most grateful to the royal feelings.[38]

Party violence among the parliamentarians.

The unfortunate monarch was still at Oxford devising new plans, and indulging new hopes. The dissensions among his adversaries had assumed a character of violence and importance which they had never before borne. The Scots, irritated by the systematic opposition of the independents, and affected delays of the parliament, and founding the justice of their claim on the solemn league and covenant confirmed by the oaths of the two nations, insisted on the legal establishment of presbyterianism, and the exclusive prohibition of every other form of worship. They still ruled in the synod of divines: they were seconded by the great body of the ministers in the capital, and by a numerous party among the citizens; and they confidently called for the aid of the majority in the two houses, as of their brethren of the same religious persuasion. But their opponents, men of powerful intellect and invincible spirit, were

[38] Rushworth, vi. 239, 240. Carte's Ormond, iii. 436—440. "You do not believe," writes Hyde to secretary Nicholas, "that my "lord Digby knew of my lord Glamorgan's commission and negocia- "tion in Ireland. I am confident he did not; for he shewed me the "copies of letters which he had written to the king upon it, which "ought not in good manners to have been written; and I believe "will not be forgiven to him, by those for whose service they were "written." Clarendon papers, ii. 346.

CHAP. IV.

supported by the swords and the merits of a conquering army. Cromwell, from the field of Naseby, had written to express his hope, that the men who had achieved so glorious a victory, might be allowed to serve God according to the dictates of their consciences. Fairfax, in his dispatches, continually pleaded in favour of toleration. Seldon and Whitelock warned their colleagues to beware how they erected among them the tyranny of a presbyterian kirk; and many in the two houses began to maintain that Christ had established no particular form of church government, but had left it to be settled under convenient limitations by the authority of the state.[39] Nor were their altercations confined to religious matters. The decline of the royal cause had elevated the hopes of the English leaders. They no longer disguised their jealousy of the projects of their Scottish allies; they accused them of invading the sovereignty of England by placing garrisons in Belfast, Newcastle and Carlisle, and complained that their army served to no other purpose than to plunder the defenceless inhabitants. The Scots haughtily replied, that the occupation of the fortresses was necessary for their own safety; and that, if disorders had occasionally been committed by the sol-

[39] Baillie, ii. 111. 161. 169. 183. Rushw. vi. 46. 85. Whitelock, 69. 172. Journals, vii. 434. 476. 620.

diers, the blame ought to attach to the negligence or parsimony of those, who had failed in supplying the subsidies to which they were bound by treaty. The English commissioners remonstrated with the parliament of Scotland, the Scottish with that of England; the charges were reciprocally made and repelled in tones of asperity and defiance; and the occurrences of each day seemed to announce a speedy rupture between the two nations. Hitherto their ancient animosities had been lulled asleep by the conviction of their mutual dependence; the removal of the common danger called them again into activity.[40]

Charles attempts to negociate with them.

To a mind like that of Charles, eager to multiply experiments, and prone to believe improbabilities, the hostile position of these parties opened a new field for intrigue. He persuaded himself that by gaining either, he should be enabled to destroy both.[41] He therefore tempted the independents with promises of ample rewards and unlimited toleration; and at the same time employed Montrevil, the French envoy, to sound the disposition of the Scots, who offered to give him an asylum

[40] Journals, vii. 573. 619. 640—643. 653. 668. 689. 697. 703. viii. 27. 97. Baillie, ii. 161, 162. 166. 171. 185. 188.

[41] "I am not without hope that I shall be able to draw either the "presbyterians or independents to side with me for extirpating the "one the other, that I shall be really king again." Carte's Ormond, iii. 452.

CHAP. IV.

in their army, and to declare in his favour, if he would assent to the three demands made during the treaty at Uxbridge. Charles listened to both, but gave in his own judgment the preference to the independents, who asked only for toleration, while the Scots sought to force their own creed on the consciences of others: nor did he seem to comprehend the important fact, that the latter were willing at least to accept him for their king, while the former aimed at nothing less than the entire subversion of his throne.[42]

Dec. 5. Dec. 15. Dec. 26. Dec. 29. 1646. Jan. 15. Jan. 17. Jan 26.

From Oxford he had sent several messages to the parliament, by one of which he demanded passports for commissioners, or free and safe access for himself. To all a refusal was returned, on the ground that he had employed the opportunity afforded him by former treaties to tempt the fidelity of the commissioners, and that it was unsafe to indulge him with more facilities for conducting similar intrigues. Decency, however, required that in return the two houses should make their proposals; and it was resolved to submit to him certain articles for his immediate and unqualified approval or rejection. The Scots contended in favour of the three former propositions: but their opponents introduced several important alterations, for the twofold purpose, first of spinning out the debates, till the king should be surrounded in

[42] Clarendon papers, ii. 209—211. Baillie, ii. 188.

Oxford, and secondly of making such additions, to the severity of the terms, as might ensure their rejection.[43]

Under these circumstances Montrevil admonished him that he had not a day to spare; that the independents sought to deceive him to his own ruin: that his only resource was to accept of the conditions offered by the Scots; and that, whatever might be his persuasion respecting the origin of episcopacy, he might, in his present distress, conscientiously assent to the demand respecting presbyterianism; because it did not require him to introduce a form of worship which was not already established, but merely to allow that to remain which he had not the power to remove. Such, according to his instructions, was the opinion of the queen regent of France, and such was the prayer of his own consort, Henrietta Maria. But no argument could shake the royal resolution.[44] He returned a firm but temperate refusal, and renewed his request for a personal conference at Westminster. The message was conveyed in terms as energetic as language could supply, but it arrived at a most unpro-

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[43] Charles's Works, 548—550. Journals, viii, 31. 45. 53. 72. Baillie, ii. 144. 173. 177. 184. 190.

[44] Clarendon papers, ii. 211—214. "Let not my enemies flatter "themselves so with their good successes. Without pretending to "prophecy, I will fortel their ruin, except they agree with me, "however it shall please God to dispose of me."

CHAP. IV.

pitious moment, the very day on which the committee of both kingdoms thought proper to communicate to the two houses the papers respecting the treaty between Glamorgan and the catholics of Ireland. Amidst the ferment and exasperation produced by the disclosure, the king's letter was suffered to remain unnoticed.[45]

He disavows Glamorgan. Jan. 29.

The publication of these important documents imposed on Charles the necessity of vindicating his conduct to his protestant subjects; a task of no very easy execution, had he not availed himself of the permission which he had formerly extorted from the attachment of Glamorgan. In an additional message to the two houses, he protested that he had never given to that nobleman any other commission than to enlist soldiers, nor authorized him to treat on any subject without the privity of the lord lieutenant; that he disavowed all his proceedings and engagements with the catholics of Ireland; and that he had ordered the privy council in Dublin to proceed against him for his presumption according to law.[46] That council, however, or at least the lord lieutenant, was in possession of a document unknown to the parliament, a copy of the warrant by which Charles had engaged to

[45] Clarendon papers, ii. 213. Journals, Jan. 16. Commons, iv. Jan. 16. Charles's works, 551. Baillie, ii. 185.

[46] Journals, viii. 132. Charles's Works, 555.

CHAP. IV.

Jan. 31.

confirm whatever Glamorgan should promise in the royal name. On this account, in his answer to Ormond, he was compelled to shift his ground, and to assert that he had no recollection of any such warrant; that it was indeed possible he might have furnished the earl with some credential to the Irish catholics; but that if he did, it was only with an understanding, that it should not be employed without the knowledge and the approbation of the lord lieutenant. Whoever considers the evasive tendency of these answers, will find in them abundant proof of Glamorgan's pretensions.[47]

Who yet concludes a peace in Ireland.

That nobleman had already recovered his liberty. To prepare against subsequent contingencies, and to leave the king what he termed "a starting hole," he had been careful to subjoin to his treaty a secret article called a defeasance, stipulating that the sovereign should be no further bound than he himself might think proper, after he had witnessed the efforts of the catholics in his favour; but that Glamorgan should conceal this release from the royal knowledge, till he had made every exertion in his power to procure the execution of the treaty.[48] This extraordinary instrument he now produced in his own vindication; the

[47] Carte, iii. 445—448.

[48] Compare Carte, i. 551, with Belling, Vindiciæ, 17. Neither of these writers gives us a full copy of the defeasance. Belling says it was this which procured Glamorgan's discharge from prison.

CHAP. IV.

Jan. 22.

council ordered him to be discharged upon bail for his appearance when it might be required; and he hastened, under the approbation of the lord lieutenant, to resume his negociation with the catholics at Kilkenny. He found the general assembly divided into two parties. The clergy, with their adherents, opposed the adoption of any peace, in which the establishment of the catholic worship was not openly recognized; and their arguments were strengthened by the recent imprisonment of Glamorgan, and the secret influence of the papal nuncio Rinuccini, archbishop and prince of Fermo, who had lately landed in Ireland. On the other hand, the members of the council and the lords and gentlemen of the pale, strenuously recommended the adoption of one of the two expedients which have been previously mentioned, as offering sufficient security for the church, and the only means of uniting the protestant royalists in the same cause with the catholics. At the suggestion of the nuncio the decision was postponed to the month of May; but Glamorgan did not forget the necessities of his sovereign; he obtained an immediate aid of six thousand men, and the promise of a considerable reinforcement, and proceeded to Waterford for the purpose of attempting to raise the siege of Chester. There, while he waited the arrival of transports, he received the news of the public disavowal of his authority

by the king. But this gave him little uneasiness: he attributed it to the real cause, the danger with which Charles was threatened; and he had been already instructed "to make "no other account of such declarations, than "to put himself in a condition to help his "master and set him free."[49] In a short time the more ungrateful intelligence arrived that Chester had surrendered: the fall of Chester was followed by the dissolution of the royal army in Cornwall, under the command of lord Hopton; and the prince of Wales, unable to remain there with safety, fled first to Scilly and thence to Jersey. There remained not a spot on the English coast where the Irish auxiliaries could be landed with any prospect of success. Glamorgan dispersed his army. Three hundred men accompanied the lord Digby to form a guard for the prince: a more considerable body proceeded to Scotland in aid of Montrose; and the remainder returned to their former quarters.[50]

[49] Birch, 189.

[50] Had Glamorgan's intended army of 10,000 men landed in England, the war would probably have assumed a most sanguinary character. An ordinance had passed the houses, that no quarter should be given to any Irishman, or any papist born in Ireland; that they should be excepted out of all capitulations; and that whenever they were taken, they should forthwith be put to death. (Rushw. v. 729. Oct. 24, 1644.) By the navy this was vigorously executed. The Irish sailors were invariably bound back to back, and thrown into the sea. At land we read of twelve Irish soldiers being hanged by the parliamentarians, for whom prince Rupert hanged twelve of

CHAP. IV.

King proposes a personal treaty.

In the mean while the king continued to consume his time in unavailing negociations with the parliament, the Scots, and the independents. 1°. He had been persuaded that that there were many individuals of considerable influence both in the city and the two houses, who anxiously wished for such an accommodation as might heal the wounds of the country; that the terror inspired by the ruling party imposed silence on them for the present; but that, were he in London, they would joyfully rally around him, and by their number and union compel his adversaries to lower their pretensions. This it was that induced him to solicit a personal conference at Westminster. He now repeated the proposal, and, to make it worth acceptance, offered to grant full toleration to every class of protestant dissenters, to yield to the parliament the command of the army during seven years, and to make over to them the next nomination of the lord admiral, the judges, and the officers of state. The insulting silence with which this message was treated, did not

1646. Jan. 29.

his prisoners. (Clarendon, ii. 623.) After the victory of Naseby, Fairfax referred the task to the two houses. He had not, he wrote, time to inquire who were Irish and who were not, but had sent all the prisoners to London, to be disposed of according to law. (Journals, vii. 433.) These was some motion made in the commons to enforce the ordinance for hanging the Irish, (July 28.); but it seems to have been dropt. The Scots, however, having taken about 100 Irish prisoners in their victory at Philiphaugh, shot them all without mercy. Baillie, ii. Journals, vii. 584.

deter him from a third attempt. He asked whether, if he were to disband his forces, dismantle his garrisons, and return to his usual residence in the vicinity of the parliament, they, on their part, would pass their word for the preservation of his honour, person, and estate, and allow his adherents to live without molestation on their own property. Even this proposal could not provoke an answer. It was plain that his enemies dared not trust their adherents in the royal presence; and, fearing that he might privately make his way into the city, they published an ordinance, that if the king came within the lines of communication, the officer of the guard should conduct him to St. James's, imprison his followers, and allow of no access to his person; and at the same time they gave notice by proclamation that all catholics, and all persons who had borne arms in the king's service, should depart within six days, under the penalty of being proceeded against as spies according to martial law.[51] 2°. The refusal of Charles to consent to the establishment of presbyterianism in England, had disappointed the expectation of the Scots. But policy had greater influence than fanaticism; the possession of the royal person would give them an invaluable advantage over their

Mar. 23.

Mar. 31.

Montreuil negociates with the Scots.

[51] Charles's Works, 556, 557. Rushworth, vi. 249. Journals, March 31, 1646. Carte's Ormond, iii. 452.

CHAP. IV.

enemies among the English leaders; and they agreed with the French envoy to offer, on certain conditions, an asylum to the unfortunate monarch. Montrevil proceeded to Oxford, where the king put into his hands an engagement, to take with him no other persons than his two nephews, and Mr. Ashburnham; to satisfy the Scots in their demands respecting civil matters; and, in point of religion, to listen to the instructions of their ministers, and then to make every concession which his conscience would permit. In return the envoy pledged to him the word of the king and the regent of France,[52] that the Scots should receive him as their natural sovereign, should offer no violence to his honour or conscience, should protect his servants and followers,[53] and should join their forces and endeavours with his to procure "a happy and well grounded peace." Thence Montrevil hastened to the Scottish camp before Newark; but he soon found to his surprise and regret, that he was a most unwelcome visitor.

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[52] It may be asked, what security this could give the king. The answer is, that when the Scots, by their agent Murray, in Paris, proposed a secret treaty and reconciliation with Charles, it was agreed, "that the crown of France should engage, as well that the Scots "should perform all that they should promise, as that the king should "make good whatsoever should be undertaken by him, or by the "queen in his behalf." Clarendon, ii. 750.

[53] This clause was inserted merely to save the king's honour: he engaged himself in writing not to take any advantage of it. Clarendon papers, ii. 220.

The commissioners of the estates with the army, differed in opinion from those in London; deputies from both bodies met in consultation at Royston: and at last it was resolved to send a party of cavalry as far as Bosworth on the road to Oxford, who should conduct the king to their quarters if he came alone, and, as it were, unexpectedly. Though Montrevil communicated this determination to Charles, he had seen too much of the Scots to recommend the measure. It might indeed be adopted when every other resource had failed, for it promised personal security. But this, he assured him, was all. If the king expected any thing more, he would infallibly have to lament his disappointment.[54]

Ashburnham with the independents.

3°. Ashburnham was the person employed to treat through sir Henry Vane with the independents. What the king asked from them, was to facilitate his access to parliament. Ample rewards were held out to the generals (probably Fairfax or Cromwell) to Vane himself, and to his friends; and an assurance was given, that if the establishment of presbyterianism were still made an indispensable condition of peace, the king would join his forces with theirs "to root out of the kingdom

[54] See Montrevil's dispatches among the Clarendon papers, ii. 211—522. It appears to me that Clarendon himself must have overlooked some passages in these dispatches. See the account in his history, iii. 16.

CHAP. IV.

" that tyrannical government."[55] That Charles placed some reliance on the promises of Vane is certain; what were the views of that popular leader in this hazardous correspondence, is unknown. The most probable conjecture is, that he sought to detain the king in Oxford, till his friends, Fairfax and Cromwell, should bring up the army from Cornwall; to amuse the royal bird, till the fowlers had enclosed him in the toils.[56]

Charles escapes to the Scots.

Oxford during the war had been rendered one of the strongest fortresses in the kingdom. On three sides the waters of the Isis and the Charwell, spread over the adjoining country, kept the enemy at a considerable distance, and on the north the city was covered with a succession of works, erected by the most skilful engineers. With a garrison of 5000 men, and a plentiful supply of stores and provisions, Charles might have protracted his fate for several months: yet the result of a siege must have been his captivity. He possessed no army; he had no prospect of assistance from without; and within famine would in the end

April 25.

compel him to surrender. He waited till

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[55] " Be very confident (he writes to Vane) that all things shall " be performed according to my promise. By all that is good I con- " jure you to dispatch that courtesy for me with all speed, or it " will be too late. I shall perish before I receive the fruits of it." March 2. Clarendon papers, ii. 227.

[56] Baillie, ii. 199, 200. 203. Clarendon papers, ii. 226.

every resource had been tried in vain. When he heard that Fairfax with the advanced guard had already reached Andover, he solicited colonel Rainsborough, the commander of the blockading force, to take him under his protection, and conduct him to London; and on the refusal of that officer, he left Oxford at mid- April 27. night, in the company of Ashburnham, and Dr. Hudson, a clergyman, well acquainted with the country. Charles was disguised as a servant, and followed his pretended master. They proceeded through Henley and Brentford to Harrow on the hill: but the time which they spent on the road, proved either that the king was still undecided what course to take, or that he expected a communication from his partisans in the capital. At last he turned in the direction of St. Alban's; and, avoiding that town, hastened through bye ways as far as Harborough. April 28. Here again he was disappointed. He could learn no tidings of any party of cavalry from the Scottish camp, or of any messenger from the French envoy. Hudson proceeded to Newark: the king with Ashburnham, crossing by Stamford, found a temporary asylum at Downholm, in Norfolkshire. Thence on the arrival of April 30. Hudson, they proceeded to the lodgings of Montrevil, at Southwell, by whom the fugitive May 5. monarch was introduced to the earl of Leven, and the officers of his staff. Though they affected the utmost surprise, they treated him

CHAP. IV.

with the respect due to their sovereign: but when Charles, as an experiment, undertook to give the word to the guard, Leven interrupted him, saying: "I am the older soldier, sir: "your majesty had better leave that office to "me."[57]

The royalists retire from the contest.

For ten days the public mind in the capital had been agitated by the most contradictory rumours: the moment the place of the king's retreat was ascertained, both presbyterians and independents united in condemning the perfidy of their northern allies. Menaces of immediate hostilities were heard: Poyntz received orders to watch the motions of the Scots with 5000 horse; and it was resolved that Fairfax should follow with the remainder of the army. But the Scottish leaders, anxious to avoid a rupture, and yet unwilling to surrender the royal prize, broke up their camp before Newark, and retired with precipitation to Newcastle. Thence by dint of protestations and denials they gradually succeeded in allaying the ferment.[58] Charles

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[57] Rushworth, vi. 266, 267. 276. Clarendon, Hist. iii. 22.; papers, ii. 228.

[58] Charles, soon after Montrevil had left Oxford, informed Ormond of his intention to join the Scots, who had promised to aid him against his enemies. This letter, which was published by Ormond, revived every former charge against the Scots. To get rid of it their commissioners solemnly declared to the parliament that the assertion in the letter was "a damnable untruth." Journals, viii. 364. The fact is, such promises had been made and retracted.

contributed his share, by repeating his desire of an accommodation, and requesting the two houses to send him the propositions of peace; and, as an earnest of his sincerity, he dispatched a circular order to his officers to surrender the few fortresses which still maintained his cause. The war was at an end: and to the praise of the conquerors it must be recorded, that they did not stain their laurels with blood. The last remnants of the royal army obtained honourable terms from the generosity of Fairfax; easy compositions for the redemption of their estates were held out to the great majority of the royalists; and the policy of the measure was proved by the number of those who hastened to profit by the indulgence, and thus extinguished the hopes of the few, who still thought it possible to conjure up another army in defence of the captive monarch.[59]

King disputes with Henderson.

While the two houses, secure of victory, debated at their leisure the propositions to be submitted for the acceptance of the king, the Scots employed the interval in attempts to

[59] Journals, viii. 309. 329. 360. 374. 475. Baillie, ii. 207. 209. Rush. vi. 280—297. The last who submitted to take down the royal standard, was the marquess of Worcester. He was compelled to travel at the age of eighty, from Ragland castle to London, but died immediately after his arrival. As his estate was under sequestration, the lords ordered a sum to be advanced for the expenses of his funeral. Journals, viii. 498. 616. See note (C) at the end of the volume.

CHAP. IV.

convert him to the presbyterian creed. For this purpose, Henderson, the most celebrated of their ministers, repaired from London to Newcastle. The king, according to his promise, listened to the arguments of his new instructor; and an interesting controversy respecting the divine institution of episcopacy and presbyteracy, was maintained with no contemptible display of skill between the two polemics. Whether Charles composed without the help of a theological monitor the papers, which on this occasion he produced, may perhaps be doubted: but the author, whoever he were, proved himself a match, if not more than a match, for his veteran opponent.[60] The Scottish leaders, however, came

[60] The following was the chief point in dispute: Each had alleged texts of scripture in support of his favourite opinion, and each explained those texts in an opposite meaning. It was certainly as unreasonable that Charles should submit his judgment to Henderson, as that Henderson should submit his to that of Charles. The king, therefore, asked who was to be judge between them. The divine replied, that scripture could only be explained by scripture, which, in the opinion of the monarch, was leaving the matter undecided. He maintained that antiquity was the judge. The church government established by the apostles must have been consonant to the meaning of the scripture. Now, as far as we can go back in history, we find episcopacy established: whence it is fair to infer that episcopacy was the form established by the apostles. Henderson did not allow the inference. The church of the Jews had fallen into idolatry during the short absence of Moses on the mount, the church of Christ might have fallen into error in a short time after the death of the apostles. Here the controversy ended by the sickness and death of the divine. See Charles's works, 75—90.

with political arguments to the aid of their champion. They assured the king that his restoration to the royal authority, or his perpetual exclusion from the throne, depended on his present choice. Let him take the covenant, and concur in the establishment of the directory, and the Scottish nation to a man, the English, with the sole exception of the independents, would declare in his favour. His conformity in that point alone would induce them to mitigate the severity of their other demands, to replace him on the throne of his ancestors, and to compel the opposite faction to submit. Should he refuse, he must attribute the consequences to himself. He had received sufficient warning; they had taken the covenant, and must discharge their duty to God and their country.

Motives of his conduct.

It was believed then, it has often been repeated since, that the king's refusal originated in the wilfulness and obstinacy of his temper; and that his repeated appeals to his conscience were mere pretexts to disguise his design of replunging the nation into the horrors, from which it had so recently emerged. But this supposition is completely refuted by the whole tenor of his secret correspondence with his queen and her council in France. He appears to have divided his objections into two classes, political and religious. 1°. It was, he alleged, an age in which mankind

CHAP. IV.

were governed from the pulpit: whence it became an object of the first importance to a sovereign, to determine to whose care that powerful engine should be intrusted. The principles of presbyterianism were anti-monarchical: its ministers openly advocated the lawfulness of rebellion; and if they were made the sole dispensers of public instruction, he and his successors might be kings in name, but they would be slaves in effect. The wisest of those who had swayed the sceptre since the days of Solomon, had given his sanction to the maxim "no bishop no king:" and his own history furnished a melancholy confirmation of the sagacity of his father. 2°. The origin of episcopacy was a theological question, which he had made it his business to study. He was convinced that the institution was derived from Christ, and that he could not in conscience commute it for another form of church government devised by man. He had found episcopacy in the church at his accession; he had sworn to maintain it in all its rights; and he was bound to leave it in existence at his death. Once, indeed, to please the two houses, he had betrayed his conscience by assenting to the death of Strafford: the punishment of that transgression still lay heavy on his head; but should he, to please them again, betray it once more, he would prove himself a most incorrigible sin-

ner, and deserve the curse both of God and man.[61]

He again demands a personal conference.

The king had reached Newark in May; it was August before the propositions of peace were submitted to his consideration. The same in substance with those of the preceding year, they had yet been aggravated by new restraints, and a more numerous list of proscriptions. On the tenth day, the utmost limit of the time allotted to the commissioners, Charles replied, that it was impossible for him to return an unqualified assent to proposals of such immense importance; that without explanation he could not comprehend how much of the ancient constitution it was meant to preserve, how much to take away; that a personal conference was necessary for both parties, in order to remove doubts, weigh reasons, and come to a perfect understanding: and that for this purpose it was his intention to repair to Westminster, whenever the two houses and the Scottish commissioners would assure him, that he might reside there with freedom, honour, and safety.[62]

Negociation between the parliament and the Scots.

This message, which was deemed evasive, and therefore unsatisfactory, filled the independents with joy, the presbyterians with

[61] For all these particulars, see the Clarendon papers, ii. 243. 248. 256. 260. 263. 265. 274. 277. 295. Baillie, ii. 208. 209. 214. 218. 219. 236. 241. 242. 243. 249.

[62] Journals, viii. 423. 447. 460.

CHAP. IV.

sorrow. The former disguised no longer their wish to dethrone the king, and either to set up in his place his son the duke of York, whom the surrender of Oxford had delivered into their hands; or, which to many seemed preferable, to substitute a republican for a monarchical form of government. The Scottish commissioners sought to allay the ferment, by
Aug. 11. diverting the attention of the houses. They expressed their readiness not only to concur in such measures as the obstinacy of the king should make necessary, but on the receipt of a compensation for their past services, to withdraw their army into their own country. The offer was cheerfully accepted; a committee assembled to balance the accounts between the nations; many charges on both sides were disputed and disallowed; and at last the Scots agreed to accept £400,000 in lieu of all demands, of which one half should be paid before they left England, the other after their arrival in Scotland.[63]

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[63] Journals, viii. 461. 485. Baillie, ii. 222, 223. 225. 267. Rush. vi. 322—326. To procure the money, a new loan was raised in the following manner: Every subscriber to former loans on the faith of parliament, who had yet received neither principal nor interest, was allowed to subscribe the same sum to the present loan, and, in return both sums with interest were to be secured to him on the grand excise, and the sale of the bishop's lands. For the latter purpose, three ordinances were passed, one disabling all persons from holding the place, assuming the name, and exercising the jurisdiction of archbishops, or bishops within the realm, and vesting all the lands be-

CHAP. IV.

At this moment an unexpected vote of the two houses, gave birth to a controversy unprecedented in history. It was resolved that the right of disposing of the king belonged to the parliament of England. The Scots hastened to remonstrate. To dispose of the king was an ambiguous term; they would assume that it meant to determine where he should reside, until harmony was restored between him and his people. But it ought to be remembered that he was king of Scotland as well as of England; that each nation had an interest in the royal person; both had been parties in the war; both had a right to be consulted respecting the result. The English, on the contrary, contended that the Scots were not parties but auxiliaries, and that it was their duty to execute the orders of those whose bread they ate, and whose money they received. Scotland was certainly an independent kingdom. But its rights were confined within its own limits: it could not claim, it should not exercise, any authority within the boundaries of England. This altercation threatened to dissolve the union between the kingdoms. Conferences were repeatedly held. The Scots published

Sept. 21.

Oct. 1.

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longing to archbishops and bishops in certain trustees, for the use of the nation (Journals, 515.); another securing the debts of subscribers on these lands (ibid. 520.) and a third appointing persons to make contracts of sale, and receive the money. Journals of Commons, Nov. 16.

CHAP. IV.

their speeches: the commons ordered the books to be seized, and the printers to be imprisoned; and each party obstinately refused either to admit the pretensions of its opponents, or even to yield to a compromise. But that which most strongly marked the sense of the parliament, was a vote providing money for the payment of the army during the next six months: a very intelligible hint of their determination to maintain their claim by force of arms, if it were invaded by the presumption of their allies.[64]

Oct. 7.

Oct. 13.

Expedients proposed by the king.

This extraordinary dispute, the difficulty of raising an immediate loan, and the previous arrangements for the departure of the Scots, occupied the attention of the two houses during the remainder of the year. Charles had sufficient leisure to reflect on the fate which threatened him. His constancy seemed to relax; he consulted the bishops of London and Salisbury; and successively proposed several unsatisfactory expedients, of which the object was to combine the toleration of episcopacy with the temporary, or partial establishment of presbyterianism. The lords voted that he should be allowed to reside at Newmarket: but the commons refused their consent; and ultimately both houses fixed on Holmby, in the vicinity of Northampton. No notice was taken

Sep. 30.

Dec. 12.

Dec. 24.

[64] Journals, 498. 534. Commons, Oct. 7. 13. 14. 16. Rush. vi. 329—373. Baillie, ii. 246.

of the security which he had demanded for his honour and freedom, but a promise was given that respect should be had to the safety of his person in the defence of the true religion and the liberties of the two kingdoms, according to the solemn league and covenant. This vote was communicated to the Scottish commissioners at Newcastle, who replied that they awaited the commands of their own parliament.[65]

1647. Jan. 6.

Jan. 12.

In Scotland the situation of the king had been the subject of many keen and animated debates. In the parliament his friends were active and persevering; and their efforts elicited a resolution, that the commissioners in London should urge with all their influence, his request of a personal conference. Cheered by this partial success, they proposed a vote expressive of their determination, to support, under all circumstances, his right to the English throne. But at this moment arrived the votes of the two houses for his removal to Holmby: the current of Scottish loyalty was instantly checked; and the fear of a rupture between the nations induced the estates to observe a solemn fast, that they might deserve the blessing of heaven, and to consult the commissioners of

Scots deliver him up to the parliament. Dec. 16.

[65] Clarendon papers, ii. 265. 268. 276. Journals, 622. 635. 648. 681. Commons' Journals, Dec. 24.

CHAP. IV.

the kirk, that they might proceed with a safe conscience. The answer was such as might have been expected from the bigotry of the age: that it was unlawful to assist in the restoration of a prince, who had been excluded from the government of his kingdom, for his refusal of the propositions respecting religion and the covenant. A resolution was now voted that he should be sent to Holmby, or some other of his houses near London, to remain there till he had assented to the propositions of peace: and all that his friends could obtain was an amendment more expressive of their fears than of their hopes, that no injury or violence should be offered to his person, no obstacle be opposed to the legitimate succession of his children, and no alteration made in the existing government of the kingdoms. This addition was cheerfully adopted by the English house of lords: the commons did not vouchsafe to honour it with their notice. The first payment of £100,000 had already been made at Northallerton: the Scots, according to agreement, evacuated Newcastle; and the parliamentary commissioners, without any other ceremony, took charge of the royal person. Four days later the Scots received the second sum of £100,000; their army repassed the border line between the two kingdoms; and the captive monarch under a strong guard, but

1647. Jan. 25.

Jan. 2.

Jan. 30.

Feb. 3.

Feb. 16.

with every demonstration of respect, was conducted to his new prison at Holmby.[66]

The royalists, ever since the king's visit to Newark, had viewed with anxiety and terror the cool calculating policy of the Scots. The result converted their suspicions into certitude: they hesitated not to accuse them of falsehood and perfidy, and to charge them with having allured the king to their army by deceitful promises, that, Judas-like, they might barter him for money with his enemies. Insinuations so injurious to the character of the nation ought not to be lightly admitted. That fanaticism and self-interest had steeled the breasts of the covenanters against the more generous impulses of loyalty and compassion, may indeed be granted: but more than this cannot be legitimately inferred from any proof furnished by history. 1°. The dispatches of Montrevil make it evident, that the verbal engagement of the commissioners at London was disavowed by the commissioners with the army before Newark; that the king was officially informed that it would never be carried into execution; and that, if he afterwards sought an asylum among the Scots, he was not drawn thither by their promises, but driven by necessity and despair. 2°. If the delivery of the royal person, connected as it was with the receipt of £200,000,

[66] Journals, viii. 686. 689. 695. 699. 713. Commons, Jan. 25, 26, 27. Baillie, ii. 253. Rush. vi. 390—398. Whitelock, 232.

CHAP. IV.

bore the appearance of a sale, it ought to be remembered, that the accounts between the two nations had been adjusted in the beginning of September; that for four months afterwards the Scots never ceased to negociate in favour of Charles; nor did they resign the care of his person, till the votes of the English parliament compelled them to make the choice between compliance or war. It may be, that in forming their decision their personal interest was not forgotten: but there was another consideration which had no small weight even with the friends of the monarch. It was urged that by suffering the king to reside at Holmby, they would do away the last pretext for keeping on foot the army under the command of Fairfax; the dissolution of that army would annihilate the influence of the independents, and give an undisputed ascendancy to the presbyterians, the first the declared enemies, the others the avowed advocates of Scotland, of the kirk, and of the king; and the necessary consequence must be, that the two parliaments would be left at liberty to arrange in conformity with the covenant, both the establishment of religion and the restoration of the throne.[67]

[67] See the declarations of Argyle in Laing, iii. 560.; and of the Scottish commissioner, to the English parliament, Journals, ix. 594. 598. "Stapleton and Hollis, and some others of the eleven "members, had been the main persuaders of us to remove out of "England, and leave the king to them, upon assurance, which was

CHAP. IV.

He still expects aid from Ireland.

Charles was not yet weaned from the expectation of succour from Ireland. At Newcastle he had consoled the hours of his captivity with dreams of the mighty efforts for his deliverance, which would be made by Ormond, and Glamorgan, and the council at Kilkenny. To the first of these he forwarded two messages, one openly through Laneric, the Scottish secretary, the other clandestinely through lord Digby, who proceeded to Dublin from France. By the first Ormond received a positive command to break off the treaty with the catholics; by the second he was told to adhere to his former instructions, and to obey no order which was not transmitted to him by the queen or the prince. His letter to Glamorgan proves more clearly the distress to which he was reduced, and the confidence which he reposed in the exertions of that nobleman. "If," he writes, "you can raise a large sum of money "by pawning my kingdoms for that purpose, "I am content you should do it; and if I "recover them, I will fully repay that money. "And tell the nuncio, that if once I can come "into his and your hands, which ought to be "extremely wish'd for by you both, as well "for the sake of England as Ireland, since all

July 20.

"most likely, that this was the only means to get that evil army "disbanded, the king and peace settled according to our minds; "but their bent execution of this real intention has undone them, "and all, till God provide a remedy." Baillie, ii. 257.

CHAP. IV.

" the rest, as I see, despise me, I will do it. " And if I do not say this from my heart, or " if in any future time I fail you in this, may " God never restore me to my kingdoms in " this world, nor give me eternal happiness in " the next, to which I hope this tribulation " will conduct me at last, after I have satisfied " my obligations to my friends, to none of " whom am I so much obliged as to yourself, " whose merits towards me exceed all expres- " sions that can be used by

" Your constant friend,

" CHARLES R."[68]

But is disappointed. July 29.

But religion was the rock on which the royal hopes were destined to split. The perseverance of the supreme council at Kilkenny prevailed in appearance over the intrigues of the nuncio, and the opposition of the clergy. The peace was reciprocally signed: it was published with more than usual parade in the cities of Dublin and Kilkenny: but at the same time a

Aug. 6.

national synod at Waterford not only condemned it as contrary to the oath of association, but

[68] Birch, Inquiry, 245. I may here mention that Glamorgan, when he was marquess of Worcester, published " A Century of " the Names and Scantlings of such Inventions," &c. which Hume pronounces " a ridiculous compound of lies, chimeras, and impos- " sibilities, enough to shew what might be expected from such a " man." If the reader peruse Mr. Partington's recent edition of this treatise, he will probably conclude that the historian had never seen it, or that he was unable to comprehend it.

CHAP. IV.

on that ground excommunicated its authors, fautors, and abettors as guilty of perjury. The struggle between the advocates and opponents of the peace was soon terminated. The men of Ulster under Owen O'Nial, proud of their recent victory (they had almost annihilated the Scottish army in the sanguinary battle of Benburb,) espoused the cause of the clergy: Preston, who commanded the forces of Leinster, after some hesitation, declared also in their favour: the members of the old council who had subscribed the treaty, were imprisoned, and a new council was established, consisting of eight laymen and four clergymen, with the nuncio at their head. Under their direction the two armies marched to besiege Dublin: it was saved by the prudence of Ormond, who had wasted the neighbouring country, and by the habits of jealousy and dissension which prevented any cordial co-operation between O'Nial and Preston, the one of Irish, the other of English descent. Ormond, however, despaired of preserving the capital against their repeated attempts: and the important question for his decision was, whether he should surrender it to them, or to parliament. The one savoured of perfidy to his religion, the other of treachery to his sovereign. He preferred Oct. 14. the latter. The first answer to his offer he was induced to reject as derogatory from his honour: a second negociation followed; and he at last

CHAP. IV. 1647. Feb. 22.

consented to resign to the parliament the sword, the emblem of his office, the castle of Dublin, and all the fortresses held by his troops, on the payment of a certain sum of money, a grant of security for his person, and the restoration of his lands, which had been sequestrated. This agreement was performed; Ormond came to England, and the king's hope of assistance from Ireland was once more disappointed.[69]

Religious disputes.

Before the conclusion of this chapter, it will be proper to notice the progress which had been made in the reformation of religion. From the directory for public worship, the synod and the houses proceeded to the government of the church. They divided the kingdom into provinces, the provinces into classes, and the classes into presbyteries or elderships; and established by successive votes a regular gradation of authority among these new judicatories, which amounted, if we may believe the ordinance, to no fewer than ten thousand. But neither of the great religious parties was satisfied. 1°. The independents strongly objected to the intolerance of the presbyterian scheme:[70]

[69] Journals, viii. 519. 522. ix. 29. 32. 35. The reader will find an accurate account of the numerous and complicated negociations respecting Ireland in Birch, Inquiry, &c. p. 142—261.

[70] Under the general name of independents, I include, for convenience, all the different sects enumerated at the time by Edwards in his Gangræna,—independents, brownists, millenaries, antinomians, anabaptists, arminians, libertines, familists, enthusiasts,

CHAP. IV.

and though willing that it should be protected and countenanced by the state, they claimed a right to form, according to the dictates of their consciences, separate congregations for themselves. Their complaints were received with a willing ear by the two houses, the members of which (so we are told by a Scottish divine who attended the assembly at Westminster,) might be divided into four classes: the presbyterians who, in number and influence surpassed any one of the other three: the independents, who, if few in number, were yet distinguished by the superior talents and industry of their leaders; the lawyers, who looked with jealousy on any attempt to erect an ecclesiastical power independent of the legislature; and the men of irreligious habits, who dreaded the stern and scrutinizing discipline of a presbyterian kirk. The two last occasionally served to restore the balance between the two others, and by joining with the independents, to arrest the zeal, and neutralize the votes of the presbyterians. With their aid, Cromwell, as the organ of the discontented religionists, obtained the appointment of a "grand committee for accommoda- "tion," which sat four months, and concluded

Discontent of the independents

1644. Sept. 13.

seekers, perfectists, socinians, arianists, antitrinitarians, anti scripturists, and sceptics. Neal's Puritans, chap xvii. I observe that some of them maintained that toleration was due even to catholics. Baillie repeatedly notices it with feelings of horror, ii. 17. 18. 43. 61.

CHAP. IV.

nothing. Its professed object was to reconcile the two parties, by inducing the presbyterians to recede from their lofty pretensions, and the independents to relax something of their sectarian obstinacy. Both were equally inflexible. The former would admit of no innovation in the powers which Christ, according to their creed, had bestowed on the presbytery; the latter, rather than conform, expressed their readiness to suffer the penalties of the law, or to seek some other clime, where the enjoyment of civil, was combined with that of religious freedom.[71]

And of the presbyterians.

2°. The discontent of the presbyterians arose from a very different source. They complained that the parliament sacrilegiously usurped that jurisdiction which Christ had vested exclusively in his church. The assembly contended, that "the keys of the kingdom of heaven were "committed to the officers of the church, by "virtue whereof, they have power respectively "to retain and remit sins, to shut the kingdom "of heaven against the impenitent by cen-"sures, and to open it to the penitent by ab-"solution." These claims of the divines were zealously supported by their brethren in parliament, and as fiercely opposed by all who were not of their communion. The divines claimed for the presbyteries the right of in-

[71] Baillie, i. 408. 420. 431. ii. 11. 33. 37. 42. 57. 63. 66. 71.

CHAP. IV.

1646. March 5.

quiring into the private lives of individuals, and of suspending the unworthy from the sacrament of the Lord's supper. The parliament refused the first, and confined the second to cases of public scandal; *they* arrogated to themselves the power of judging what offences should be deemed scandalous; the parliament defined the particular offences, and appointed civil commissioners in each province, to whom the presbyteries should refer every case not previously enumerated; *they* allowed of no appeal from the ecclesiastical tribunals to the civil magistrate; the parliament empowered all who thought themselves aggrieved, to appeal to either of the two houses.[72] This profane mutilation of the divine right of the presbyteries excited the alarm and execration of every orthodox believer. When the ordinance for carrying the new plan into execution was in progress through the commons, the ministers generally determined not to act under its provisions. The citizens of London, who petitioned against it, were indeed silenced by a vote that they had violated the privileges of the house: but the Scottish commissioners came to their aid with a demand, that religion should be regulated to the satisfaction of the church; and the assembly of divines ventured to remonstrate, that they could not in conscience submit to an

Mar. 26.

[72] Journals, vii. 469. Commons, Sept. 25. Oct. 10. Mar. 5.

CHAP. IV.

imperfect and antiscriptural form of ecclesiastical government. To the Scots a civil but unmeaning answer was returned: as to the assembly, it was resolved that the remonstrance was a breach of privilege, and that nine questions should be proposed to the divines, respecting the nature and object of the divine right to which they pretended. These questions had been prepared by the ingenuity of Selden and Whitelock, ostensibly for the sake of information, in reality to breed dissension and to procure delay.[73]

April 22.

When the votes of the house were announced to the assembly, the members anticipated nothing less than the infliction of those severe penalties, with which breaches of privilege were usually visited. They resolved to observe a day of fasting and humiliation, to invoke the protection of God in favour of his persecuted church; they required the immediate attendance of their absent colleagues; and then reluctantly entered on the consideration of the questions sent to them from the commons. In a few days, however, the king took refuge in the Scottish army, and a new ray of hope cheered their afflicted spirits. Additional petitions were presented; the answer of the two

May 26.

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[73] Journals, viii. 232. Commons, March 23. April 22. Baillie, ii. 194. "The pope and king," he exclaims, "were never more "earnest for the headship of the church, than the plurality of this "parliament." 196. 198, 199. 201, 216.

houses became more accommodating; and the petitioners received thanks for their zeal, with an assurance in conciliatory language that attention should be paid to their requests. The immediate consequence was the abolition of the provincial commissioners; and the ministers, softened by this condescension, engaged to execute the ordinance in London and Lancashire.[74] At the same time the assembly undertook the composition of a catechism and confession of faith: but their progress was daily retarded by the debates respecting the nine questions; and the influence of their party was greatly diminished by the sudden death of the earl of Essex.[75] It was, however, restored by the delivery of the king into the hands of the parliament: petitions were immediately presented, complaining of the growth of error and schism; and the impatience of the citizens induced them to appoint a committee to wait daily at the door of the house of commons, till they should receive a favourable answer. But another revolution to be related in the next chapter, followed; the custody of the royal

Sep. 14. 1647.
Feb. 18.

Mar. 17.

[74] These were the only places in which the presbyterian government was established according to law.

[75] Baillie says, "He was the head of our party here, kept all together who now are like, by that alone, to fall to pieces. The "house of lords absolutely, the city very much, and many of the "shires depended on him." ii. 234.

CHAP. IV.

person passed from the parliament to the army, and the hopes of the orthodox were once more utterly extinguished.[76]

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[76] Baillie, ii. 207. 215, 216, 226. 234. 236. 250. Journals, viii. 332. 509. ix. 18. 72. 82. Commons, May 26. Nov. 27. Dec. 7. March 15. 20.

CHAP. V.

CHARLES I.

OPPOSITE PROJECTS OF THE PRESBYTERIANS AND INDEPENDENTS—THE KING IS BROUGHT FROM HOLMBY TO THE ARMY—INDEPENDENTS DRIVEN FROM PARLIAMENT—RESTORED BY THE ARMY—ORIGIN OF THE LEVELLERS—KING ESCAPES FROM HAMPTON COURT AND IS SECURED IN THE ISLE OF WIGHT—MUTINY IN THE ARMY—PUBLIC OPINION IN FAVOUR OF THE KING—SCOTS ARM IN HIS DEFENCE—THE ROYALISTS RENEW THE WAR—THE PRESBYTERIANS RESUME THE ASCENDENCY—DEFEAT OF THE SCOTS—SUPPRESSION OF THE ROYALISTS—TREATY OF NEWPORT—THE KING IS AGAIN BROUGHT TO THE ARMY—THE HOUSE OF COMMONS IS PURIFIED—THE KING'S TRIAL—JUDGMENT—AND EXECUTION—REFLECTIONS.

CHAP. V.

The king at Holmby.

THE king during his captivity at Holmby divided his time between his studies and amusements. A considerable part of the day he spent in his closet, the rest in playing at bowls, or riding in the neighbourhood. He was strictly watched; and without an order from the parliament no access could be obtained to the royal presence. The crowds who came to be touched for the evil, were sent back by the guards; the servants who waited on his per-

CHAP. V.

son, received their appointment from the commissioners; and, when he refused the spiritual services of two presbyterian ministers sent to him from London, his request for the attendance of any of his twelve chaplains was equally refused. Thus three months passed away without any official communication from the two houses. The king's patience was exhausted; and he addressed them in a letter, which as it must have been the production of his own pen, furnishes a favourable specimen of his abilities. In it he observed that the want of advisers might, in the estimation of any reasonable man, excuse him from noticing the important propositions presented to him at Newcastle: but his wish to restore a good understanding between himself and his houses of parliament, had induced him to make them the subjects of his daily study; and if he could not return an answer satisfactory in every particular, it must be attributed not to want of will, but to the prohibition of his conscience. Many things he would cheerfully concede: with respect to the others he was ready to receive information, and that in person, if such were the pleasure of the lords and commons. Individuals in his situation might persuade themselves that promises extorted from a prisoner are not binding. If such were his opinion, he would not hesitate a moment to grant whatever had been asked. His very reluctance proved beyond dispute,

Feb. 17.

March 6.

May 12.

CHAP. V.

that with him at least the words of a king were sacred.

After this preamble he proceeds to signify his assent to most of the propositions; to the three principal points in debate, he answers: 1°. that he is ready to confirm the presbyterian government for the space of three years, on condition that liberty of worship be allowed to himself and his household, that twenty divines of his nomination be added to the assembly at Westminster, and that the final settlement of religion at the expiration of that period be made in the regular way by himself and the two houses: 2°. he is willing that the command of the army and navy be vested in persons to be named by them, on condition that after ten years it may revert to the crown: and 3°. if these things be accorded, he pledges himself to give full satisfaction with respect to the war in Ireland. By the lords the royal answer was favourably received, and they resolved by a majority of thirteen to nine, that the king should be removed from Holmby to Oatlands: but the commons neglected to notice the subject, till their attention was occupied by a question of more immediate, and therefore in their estimation, of superior importance [1] May 20.

The reader is aware that the presbyterians Character of Fairfax.

[1] Journals, 19. 69. 193. 199. Commons, Feb 20. March 2. 9. May 21.

CHAP. V.

had long viewed the army under Fairfax with peculiar jealousy. It offered a secure refuge to their religious, it proved the strongest bulwark of their political, opponents. Under its protection men were beyond the reach of intolerance. They prayed and preached as they pleased: the fanaticism of one served to countenance the fanaticism of another; and all, however they might differ in spiritual gifts and theological notions, were bound together by the common profession of godliness, and the common dread of persecution. Fairfax, though called a presbyterian, had nothing of that stern, unaccommodating character, which then marked the leaders of the party. In the field he was distinguished by his activity and daring; but the moment his military duties were performed, he relapsed into habits of ease and indolence; and, with the good nature and the credulity of a child, suffered himself to be guided by the advice or the wishes of those around him, by his wife, by his companions, and particularly by Cromwell. That adventurer had equally obtained the confidence of the commander-in-chief and of the common soldier. Dark, artful and designing, he governed Fairfax by his suggestions, while he pretended only to second the projects of that general. Among the privates he appeared as the advocate of liberty and toleration, joined with them in their conventicles, adopted among them the cant of

fanaticism, and affected to resent their wrongs as religionists and their privations as soldiers. To his fellow officers he lamented the ingratitude and jealousy of the parliament, a court in which experience showed that no man, not even the most meritorious patriot, was secure. To-day he might be in high favour: to-morrow, at the insidious suggestion of some obscure lawyer or narrow minded bigot, he might find himself under arrest and consigned to the Tower. That Cromwell already aspired to the eminence to which he afterwards soared, is hardly credible: but that his ambition was awakened, and that he laboured to bring the army into collision with the parliament, was evident to the most careless observer.[2]

To disband that army was now become the main object of the presbyterian leaders: but they disguised their real motives under the pretence of the national benefit. The royalists were humbled in the dust: the Scots had departed; and it was time to relieve the country from the charge of supporting a multitude of men in arms, without any ostensible purpose. They carried, but with considerable

[2] As early as Aug. 2, 1648, Huntingdon, the major in his regiment, in his account of Cromwell's conduct, noticed, that in his chamber at Kingston he said, "What a sway Stapleton and Hollis "had heretofore in the kingdom, and he knew nothing to the con- "trary but that he was as well able to govern the kingdom as either "of them." Journals, x. 411.

CHAP. V.

opposition, the following resolutions: to take from the army three regiments of horse, and eight regiments of foot for the service in Ireland, to retain in England no greater number of infantry than might be required to do the garrison duty, with six thousand cavalry for the more speedy suppression of tumults and riots, and to admit of no officer of higher rank than colonel, with the exception of Fairfax the commander-in-chief. In addition it was voted that no commission should be granted to any member of the lower house, or to any individual who refused to take the solemn league and covenant, or to any one whose conscience forbade him to conform to the presbyterian scheme of church government.[3]

Opposition of the independents.

The object of these votes could not be concealed from the independents. They resolved to oppose their adversaries with their own weapons, and to intimidate those whom they were unable to convince. Suddenly, at their secret instigation, the army, rising from its cantonments in the neighbourhood of Nottingham, approached the metropolis, and selected quarters in the county of Essex. This move-

[3] Journals of Commons, iv. Feb. 15. 19. 20. 23. 25. 26. 27. March 1, 2, 3, 4, 5. On several divisions the presbyterian majority was reduced to ten; on one, to two members. They laboured to exclude Fairfax, but were left in a minority of 147 to 159. Ibid. March 5. "Some," says Whitelock, "wondered it should admit "debate and question." p. 239.

ment was regarded and resented as a menace: Fairfax to excuse it alleged the difficulty of procuring subsistence in an exhausted and impoverished district. At Saffron Waldon he was met by the parliamentary commissioners: Mar. 21. they called a council of officers, and submitted to their consideration proposals for the service of Ireland; but instead of a positive answer, inquiries were made and explanations demanded, while a remonstrance against the treatment of the army was circulated for signatures through the several regiments. In it the soldiers required an ordinance of indemnity, to screen them from actions in the civil courts for their past conduct, the payment of their arrears, which amounted to forty-three weeks for the horse, and to eighteen for the infantry, exemption from impressment for foreign service, compensation for the maimed, pensions for the widows and families of those who had fallen during the war, and a weekly provision of money, that they might no longer be compelled to live at free quarters on the inhabitants. This remonstrance alarmed the ruling party: they dreaded to oppose petitioners with swords in their hands; and, that the project might be suppressed in its birth, both houses sent instructions to the general, ordered all members holding commands to repair to the army, and issued a declaration, in which, after a promise to take no notice of Mar. 30.

CHAP. V.

what was passed, they admonished the subscribers that to persist in their illegal course would subject them to punishment "as enemies to the state, and disturbers of the public peace."[4]

Demands of the army.

The framers of this declaration knew little of the temper of the military. They sought to prevail by intimidation, and they only inflamed the general discontent. Was it to be borne, the soldiers asked each other, that the city of London and the county of Essex should be allowed to petition against the army, and that they, who had fought, and bled, and conquered in the cause of their country, should be forbidden either to state their grievances, or to vindicate their characters? Two deliberating bodies, in imitation of the houses at Westminster, were quickly formed: one consisting of the officers holding commissions, the other of two representatives from every troop and company, calling themselves adjutators or helpers, a name which, by the ingenuity of their enemies, was changed into that of agitators or disturbers.[5] Guided by their resolves

[4] Journals, ix. 66. 72. 82. 89. 95. 112—115. Commons, v. Mar. 11 25, 26, 27. 29.

[5] This was not the first appearance of the agitators. "The first time," says Fairfax, "I took notice of them was at Nottingham, (end of February) by the soldiers meeting to frame a petition to the parliament about their arrears. The thing seemed just; but not liking the way, I spoke with some officers who were principally engaged in it, and got it suppressed for that time." Short

the whole army seemed to be animated with one soul: scarcely a man could be tempted to desert the common cause by accepting of the service in Ireland; each corps added supernumeraries to its original complement:[6] and language was held, projects were suggested, most alarming to the presbyterian party. Confident, however, in their own power, the ma- April 27. jority resolved that the several regiments should be disbanded on the receipt of a small portion of their arrears. It was scarcely passed when a deputation of officers presented to the commons a defence of the remonstrance. They maintained that by becoming soldiers they had not lost the rights of subjects, that by purchasing the freedom of others, they had not forfeited their own: that what had been granted to the adversaries of the commonwealth, and to the officers in the armies of Essex and Waller, could not in justice be refused to them: and that, as without the liberty of petitioning, grievances are without remedy, they ought to be allowed to petition now in what regarded them as soldiers, no less than afterwards in what might regard them as citizens. At the

Memorials of Thomas, lord Fairfax, written by himself. Somers' Tracts, v. 392.

[6] Several bodies of troops in the distant counties had been disbanded; but the army under Fairfax, by enlisting volunteers from both parties, royalists as well as parliamentarians, was gradually increased by several thousand men, and the burthen of supporting it was doubled. See Journals, ix. 559—583.

CHAP. V.

same time the adjutators addressed to Fairfax and the other general officers, a letter complaining of their wrongs, stating their resolution to obtain redress, and describing the expedition to Ireland as a mere pretext to separate the soldiers from those officers to whom they were attached, "a cloak to the "ambition of men who having lately tasted of "sovereignty, and been lifted beyond their "ordinary sphere of servants, sought to become "masters, and degenerate into tyrants." The tone of these papers excited alarm: and Cromwell, Skippon, Ireton, and Fleetwood, were ordered to repair to their regiments, and assure them that ordinances of indemnity should be passed, that their arrears should be audited, and that a considerable payment should be made previous to their dismissal from the service. When these officers announced, in the words of the parliamentary order, that they were come to quiet "the distempers in the "army," the councils replied, that they knew of no distempers, but of many grievances, and that of these they demanded immediate redress.[7]

May 8.

Refusal of parliament.

Whitelock, with his friends, earnestly deprecated a course of proceeding which he foresaw must end in defeat: but his efforts were frustrated by the violence of Hollis, Sta-

[7] Journals, ix. 164. Commons, Ap. 27. 30. Whitelock, 245, 246. Rushworth, vi. 447. 451. 457. 469. 480. 485.

pleton, and Glyn, the leaders of the ruling party, who, though they condescended to pass the ordinance of indemnity, and to issue money for the payment of the arrears of eight weeks, procured at the same time instructions for the general to collect the several regiments in their quarters, and to disband them without delay. Instead of obeying, he called together the council of officers, who resolved that the money offered by the houses was but a small portion of their demand; that no visible security was given for the remainder; that the vote by which they had been declared enemies to the state, had not been recalled; and that as they could obtain neither reparation for their characters nor security for their persons, it was necessary that the whole army should be drawn together, in order that all might consult in common. This intelligence opened the eyes of their adversaries: they expunged the offensive declaration from the journals, they introduced a more comprehensive ordinance of indemnity, and had proposed several votes calculated to meet the objections of the officers, when their alarm was raised to the highest pitch by the arrival of unexpected tidings from Holmby.[8]

May 21.

May 25.

May 29.

June 1.

June 5.

Soon after the appointment of the agitators,

April 21.

[8] Whitelock, 248. 250. Hollis, 92. Journals, 207. 222. 226—228. Commons, May 14. 21. 25. 28. June 1. 4, 5. Rushworth, vi. 489. 493. 497—500. 505.

CHAP. V.

an officer delivered to the king a petition from the army, that he would suffer himself to be conducted to the quarters of their general, by whom he should be restored to his honour, crown, and dignity. Charles replied, that he hoped one day to reward them for the loyalty of their intention, but that he could not give his consent to a measure, which must, in all probability, replunge the nation into the horrors of a civil war.[9] He believed that this answer had induced the army to abandon the design: but six weeks later, on Wednesday the 2nd of June, while he was playing at bowls, Joyce, a cornet in the general's life guard, was observed standing among the spectators; and late in the evening of the same day, the commissioners in attendance understood that a numerous party of horse had assembled on Harleston heath, at the distance of two miles from Holmby. Their object could not be doubted; it was soon ascertained that the guards would offer no resistance; and colonel Greaves, their commander, deemed it expedient to withdraw to a place of safety. About two in the morning the strangers appeared before the gates, and were instantly admitted. To the questions of the commissioners, who was their commander, and what was their purpose, Joyce replied, that they

The army carries off the king. June 2.

June 3.

[9] Clarendon papers, ii. 365.

were all commanders, and that they had come to arrest colonel Greaves, and to secure the person of the king, that he might not be carried away by their enemies. They then placed guards of their own, and spent the day in consultation. About ten at night Joyce demanded admission to the royal bed-chamber, and informed the king that his comrades were apprehensive of a rescue, and wished to conduct him to a place of greater security. Charles signified his consent, on the condition that what then passed between them in private, should be repeated in public: and at six the next morning, took his station on the steps at the door, while the troopers drew up before him with Joyce a little in advance of the line. This dialogue ensued: June 4.

KING.—Mr. Joyce, I desire to ask you, what authority you have to take charge of my person, and convey me away.

JOYCE.—I am sent by authority of the army to prevent the design of their enemies, who seek to involve the kingdom a second time in blood.

KING.—That is no lawful authority. I know of none in England but my own, and after mine, that of the parliament. Have you any written commission from sir Thomas Fairfax?

JOYCE.—I have the authority of the army, and the general is included in the army.

CHAP. V.

KING.—That is no answer. The general is the head of the army. Have you any written commission?

JOYCE.—I beseech your majesty to ask me no more questions. There is my commission, pointing to the troopers behind him.

KING, with a smile.—I never before read such a commission: but it is written in characters fair and legible enough; a company of as handsome proper gentlemen, as I have seen a long while. But to remove me hence you must use absolute force, unless you give me satisfaction as to these reasonable and just demands which I make: that I may be used with honour and respect, and that I may not be forced in any thing against my conscience or honour, though I hope that my resolution is so fixed that no force can cause me to do a base thing. You are masters of my body, my soul is above your reach.

The troopers signified their consent by acclamation: and Joyce rejoined, that their principle was not to force any man's conscience, much less that of their sovereign. Charles proceeded to demand the attendance of his own servants, and, when this had been granted, asked whither they meant to conduct him. Some mentioned Oxford, others Cambridge, but at his own request Newmarket was preferred. As soon as he had retired, the commissioners protested against the removal

CHAP. V.

of the royal person, and called on the troopers present to come over to them, and maintain the authority of parliament. But they replied with one voice "none, none:" and the king trusting himself to Joyce and his companions, rode that day as far as Hinchinbrook house, and afterwards proceeded to Newmarket.[10]

Marches towards London.

This design of seizing the person of the king was openly avowed by the council of the agitators, though the general belief attributed it to the secret contrivance of Cromwell. It had been carefully concealed from the knowledge of Fairfax till after its successful execution. He was still duped by the hypocrisy of the lieutenant general, whom he believed to be animated with the same sentiments as himself, an earnest desire to satisfy the complaints of the military, and at the same time to prevent

[10] Compare the narrative published by the army (Rush. vi. 513.), with the letters sent by the commissioners to the house of Lords. Journals, 237. 240. 248. 250. Fairfax met the king, and advised him to return to Holmby. "The next day I waited on his majesty, "it being also my business to persuade his return to Holmby; but "he was otherwise resolved ..... So having spent the whole day "about this business, I returned to my quarters; and as I took leave "of the king, he said to me, sir, I have as good interest in the "army as you. .... I called for a council of war to proceed against "Joyce for this high offence, and breach of the articles of war: "but the officers, whether for fear of the distempered soldiers, or "rather (as I suspected) a secret allowance of what was done, made "all my endeavours in this ineffectual." Somers' Tracts, v. 394. Hollis asserts that the removal of the king had been planned at the house of Cromwell on the 30th of May, (Hollis, 96.) Huntingdon, that it was advised by Cromwell and Ireton. Lords' Journals, x. 409.

CHAP. V.

a rupture between them and the parliament. But Cromwell had in view a very different object, the humiliation of his political opponents; and his hopes were encouraged not only by the ardour of the army, but also by the general wishes of the people. Addresses from the freeholders of different counties were daily presented to Fairfax, as if the force under his command constituted the supreme authority in the nation; they lamented that the return of peace had not brought with it those blessings, the promise of which had induced them to submit to the privations of war: and they attributed their disappointment to the obstinacy with which certain persons clung to the emoluments of office. In parliament, amidst the struggles of the two parties, some votes were passed, calculated to give satisfaction both to the public and to the military: but to these others were added, which manifested a determination in the houses to resist the dictates of a mutinous soldiery. Every day the contest assumed a more threatening appearance. A succession of petitions, remonstrances, and declarations, issued from the pens of Ireton and Lambert under the superintendence of Cromwell: the army continually added to their former demands, and it was now required, that all capitulations granted during the war should be observed; that a time should be fixed for the termination

CHAP. V.

of the present parliament; that the house of commons should be purged of every individual disqualified by preceding ordinances; and, in particular, that eleven of its members, comprising Hollis, Glyn, Stapleton, Clotworthy, and Waller, the chief leaders of the presbyterian party, should be excluded, till they had been tried by due course of law for the offence of endeavouring to commit the army with the parliament. To give weight to these demands, Fairfax, who seems to have acted as the mere organ of the council of officers,[11] marched successively to St. Alban's, to Watford, and to Uxbridge. His approach revealed the weakness or the timidity of the presbyterian party. Skippon, whom they consulted as their military oracle, advised them to fast and submit; and the men who had so clamorously appealed to the privileges of parliament, when the king demanded the five members, were silent when a similar demand was made by twelve thousand men in arms. They gladly voted leave of absence for the accused; they ordered the new levies for the defence of the

June 16.

June 26.

[11] "From the time they declared their usurped authority at Triplow "Heath, (June 10) I never gave my free consent to any thing they "did; but being yet undischarged of my place, they set my name "in way of course to all their papers, whether I consented or not" Somers' Tracts, v. 396. This can only mean that he reluctantly allowed them to make use of his name: for he was certainly at liberty to resign his command, or to protest against the measures which he disapproved.

CHAP. V.

city to be disbanded; and they tamely resigned to their opponents the ascendency which they had hitherto enjoyed. At the suggestion of the independents the army under Fairfax, was declared the army of the parliament; a month's pay was granted as the reward of its services; and commissioners from the two houses were appointed to treat with commissioners from the army, as if they were the representatives of an independent and co-equal authority.[12]

June 28.

And treats the king with indulgence.

This struggle and its consequences were viewed with intense interest by the royalists, who persuaded themselves that it must end in the restoration of the king: but the opportunities furnished by the passions of his adversaries, were as often forfeited by his own irresolution. While both factions courted his assistance, he, partly through distrust of their sincerity, partly through the hope of more favourable terms, balanced between their offers, till the contest was decided without his interference. Ever since his departure from Holmby, though he was still a captive, and compelled to follow the marches of the army,

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[12] Rushworth, vi. 518—596. Whitelock, 251—256. Hollis, 104. Journals, 249. 257. 260. 263. 275. 277. 284. 289. 291. 298. Commons, June 7. 11. 12. 15. 18. 25, 26. 28. On divisions in general the presbyterians had a majority of 40—but on the 28th, the first day after the departure of their leaders, they were left in a minority of 85 to 121. Ibid.

CHAP. V.

the officers had treated him with the most profound respect: attention was paid to all his wants: the general interposed to procure for him occasionally the company of his younger children; his servants, Legge, Berkeley, and Ashburnham, though known to have come from France by command of the queen, were permitted to attend him; and free access was given to some of his chaplains, who read the service in his presence publicly and without molestation. Several of the officers openly professed to admire his piety, and to compassionate his misfortunes: even Cromwell, though at first he affected the distance and reserve of an enemy, sent him secret assurances of his attachment; and successive addresses were made to him in the name of the military, expressive of the general wish to effect an accommodation, which should reconcile the rights of the throne with those of the people. In addition, Fairfax, in a letter to the two houses, spurned the imputation cast upon the army, as if it were hostile to monarchical government, justified the respect and indulgence with which he had treated the royal captive, and maintained that "tender, equitable, and moderate dealing towards him, his "family, and his former adherents," was the most hopeful course to lull asleep the feuds which divided the nation. Never had the king

July 8.

CHAP. V.

so fair a prospect of recovering his authority.[13]

The independents are driven from parliament.

In the treaty between the commissioners of the parliament and those of the army, the latter proceeded with considerable caution. The redress of military grievances was but the least of their cares; their great object was the settlement of the national tranquillity on what they deemed a solid and permanent basis. Of this intention they had suffered some hints to transpire: but before the open announcement of their plan, they resolved to bring the city, as they had brought the parliament, under subjection. London, with its dependencies, had hitherto been the chief support of the contrary faction; it abounded with discharged officers and soldiers who had served under Essex and Waller, and who were ready at the first summons to draw the sword in defence of the covenant: and the supreme authority over the military within the lines of communication had been, by a late ordinance, vested in a committee, all the members of which were strongly attached to the presbyterian interest. To wrest this formidable weapon from the hands of their adversaries, they forwarded a request to the two houses, that the command of the London militia might be transferred from dis-

[13] Journals, ix. 323, 324. Also Huntingdon's narrative, x. 409.

affected persons to men distinguished by their devotion to the cause of the country. The presbyterians were alarmed, they suspected a coalition between the king and the independents; they saw that the covenant was at stake, and that the propositions of peace so often voted in parliament might in a few days be set aside. A petition was presented in opposition to the demand of the army: but the houses, now under the influence of the independents, passed the ordinance; and the city on its part determined to resist both the army and the parliament. Lord Lauderdale, the chief of the Scottish commissioners, hastened to the king to obtain his concurrence; a new covenant, devised in his favour, was exposed at Skinners' hall, and the citizens and soldiers hastened in crowds to subscribe their names. By it they bound themselves in the presence of God, and at the risk of their lives and fortunes, to bring the sovereign to Westminster, that he might confirm the concessions which he had made in his letter from Holmby, and might confer with his parliament on the remaining propositions. Both lords and commons voted this new engagement an act of treason against the kingdom: and the publication of the vote, instead of damping the zeal, inflamed the passions of the people. The citizens petitioned a second time, and received a second refusal. The moment they departed,

July 21.

July 24.

July 26.

CHAP. V.

a multitude of apprentices, supported by a crowd of military men, besieged the doors of the two houses: for eight hours they continued by shouts and messages to call for the repeal of the ordinance respecting the militia, and of the vote condemning the covenant; and the members, after a long resistance, worn out with fatigue and overcome with terror, submitted to their demands. Even after they had been suffered to retire, the multitude suddenly compelled the commons to return, and with the speaker in the chair, to pass a vote that the king should be conducted without delay to his palace at Westminster. Both houses adjourned for three days, and most of the independent members improved the opportunity to withdraw from the insults of the populace, and to seek an asylum in the army.[14]

Charles refuses the offers of the army. Aug. 1.

In the mean while the council of officers had completed their plan "for the settlement of "the nation," which they submitted first to the consideration of Charles, and afterwards to that of the parliamentary commissioners. In many points it was similar to the celebrated "propositions of peace:" but it contained in addition several provisions respecting the freedom of elections and the duration of parlia-

[14] Whitelock, 260, 261. Journals, ix. 377. 393. Hollis, 145. Leicester's journal in the Sydney papers, edited by Mr. Blencowe, p. 25.

ments ;[15] and on the three great points of the church, the militia, and the fate of the royalists, was so modified after a long debate, as almost to satisfy the wishes of the monarch. Instead of abolishing the hierarchy, it only deprived it of the power of coercion : it placed the liturgy and the covenant on an equal footing, taking away the penalties for absence from the one, and for the refusal of the other: it restored the command of the army and navy to the crown after the expiration of ten years ; and it confined to five the number of English royalists to be excepted from pardon. Had Charles accepted it, he would probably have been replaced on his throne ; but whether he distrusted their sincerity, or relied on the presbyterians, or had persuaded himself that both parties would fall in the present struggle, he returned a peremptory refusal, adding, " You " cannot stand without my support, and that " support I will not sell at so mean a price."[16] This answer created a strong feeling of disappointment and displeasure: and a party of

[15] They proposed that decayed and inconsiderable boroughs should be disfranchised, that the number of county members should be increased, and that the increase should be proportionate to the rates of the counties in the common charges of the kingdom. Charles's Works, 579.

[16] This, however, was the opinion of other statesmen besides the king. Hyde writes to sir John Berkeley, "If they see you will not " yield, they must; for sure they have as much or more need of the " king than he of them." Clarendon papers, ii. 379.

CHAP. V.

soldiers, bursting into the bed chamber of lord Lauderdale, ordered him to rise and depart without a moment's delay. It was in vain that he pleaded his duty as commissioner from the estates of Scotland, or that he solicited the favour of a short interview with the king: he was compelled to rise and hasten back to the capital.[17]

Which marches to London.

By this time information of the proceedings in London had induced Fairfax to collect his forces and march towards the city. On the way he was joined by the speakers of both houses, eight lords and fifty-eight commoners, who in a council held at Sion house solemnly bound themselves "to live and die with the "army." Here it was understood that many royalists had joined the presbyterians, and that a declaration had been circulated in the name of the king, condemning all attempts to make war on the parliament. The officers, fearing the effect of this intelligence on the minds of the military, already exasperated by the refusal of their proposals, conjured Charles to write a conciliatory letter to the general, in which he should disavow any design of assisting the enemy, should thank the army for its attention to his comfort, and should commend

[17] Compare the narratives of Ludlow (i. 174—178.) and Huntingdon (Journals x. 410.) with the proposals of the army in Charles's Works, (578.) The insult to Lauderdale is mentioned in the Lords' Journals, ix. 367.

CHAP. V.

the moderation of their plan of settlement in many points, though he could not consent to it in all. The ill-fated monarch hesitated; the grace of the measure was lost by a delay of twenty-four hours; and though the letter was at last sent, it did not arrive before the city had made an offer of submission. In such circumstances it could serve no useful purpose. It was interpreted as rather an artifice to cover the king's intrigues with the presbyterians, than a demonstration of his good will to the army.[18]

Aug. 3.

To return to the city, Hollis and his colleagues had resumed the ascendency during the secession of the independents. The eleven members returned to the house: the command of the militia was restored to the former committee; and a vote was passed that the king should be invited to Westminster. At the same time the common council resolved to raise by subscription a loan of £10,000, and to add auxiliaries to the trained bands to the amount of eighteen regiments. Ten thousand men were already in arms: 400 barrels of gunpowder, with other military stores, were drawn from the magazine in the Tower,

Enters the city.

[18] Journals, 359. 375. Heath, 140. Ludlow, i. 181. Charles afterwards disavowed the declaration, and demanded that the author and publisher should be punished. Whitelock, 267. There are two copies of his letter, one in the Clarendon papers, ii. 373.; another and shorter in the Parliamentary History, xv. 205.

CHAP. V.

and the presbyterian generals, Massey, Waller, and Poyntz, gladly accepted the command.[9] But the event proved that these were empty menaces. In proportion as it was known that Aug. 5. Fairfax had begun his march, that he had reviewed the army on Hounslow heath, and that he had fixed his head quarters at Hammersmith, the sense of danger cooled the fervour of enthusiasm, and the boast of resistance was insensibly exchanged for offers of submission. The militia of Southwark openly fraternised with the army: the works on the line of communication were abandoned; and the lord mayor, on a promise that no violence should be offered to the inhabitants, ordered Aug. 6. the gates to be thrown open. The next morning was celebrated the triumph of the independents. A regiment of infantry, followed by one of cavalry, entered the city: then came Fairfax on horseback, surrounded by his body guards, and a crowd of gentlemen; a long train of carriages, in which were the speakers and the fugitive members, succeeded; and another regiment of cavalry closed the procession. In this manner, receiving as they passed the forced congratulations of the mayor and the common council, the conquerors marched to Westminster, where each speaker was placed in his chair by the hand

[9] Journals, x. 13. 16, 17.

CHAP. V.

And gives the law to the parliament.

of the general.[20] Of the lords who had remained in London after the secession, one only, the earl of Pembroke, ventured to appear: and he was suffered to make his peace by a declaration that he considered all the proceedings during the absence of the members compulsory, and therefore null. But in the lower house the presbyterians and their adherents composed a more formidable body: and by their spirit and perseverance, though they could not always defeat, frequently embarrassed the designs of their opponents. To many things they gave their assent; they suffered Maynard and Glyn, two members, to be expelled, the lord mayor, one of the sheriffs, and four of the aldermen, to be sent to the Tower, and the seven peers who sate during the secession of their colleagues, to be impeached. But a sense of danger induced them to oppose a resolution sent from the lords, to annul all the votes passed from the 26th of July to the 6th of August. Four times, contrary to the practice of the house, the resolution was brought forward, and as often, to the surprise of the independents, was rejected. Fairfax hastened to the aid of his friends. In a letter to the speaker, he con-

Aug. 9.
Aug. 10.
Aug. 17.
Aug. 19.

[20] Whitelock, 261—264. Leicester's journal, 27. Baillie calls this surrender of the city "an example rarely paralleled, if not of "treachery, yet at least of childish improvidence and base cowardice." ii. 259. The eleven members instantly fled. Leicester, ibid.

CHAP. V.

demned the conduct of the commons as equivalent to an approval of popular violence, and hinted the necessity of removing from the house the enemies of the public tranquillity.

Aug. 20. The next morning the subject was resumed: the presbyterians made the trial of their strength on an amendment, and finding themselves out-numbered, suffered the resolution to pass without a division.[21]

The king listens to the counsels of the officers.

Aug. 24. As the army did not intend to remove from the vicinity of the metropolis, the palace of Hampton court was selected for the residence of the king. There the principal officers appeared to vie with each other in their attention to his comfort. He was now indulged with the company of his children, whenever he pleased to command their attendance, and with the pleasure of hunting, on his promise not to attempt an escape; all persons, whom he was content to see, found ready admission to his presence; and, what he prized above all other concessions, he was furnished with the opportunity of corresponding freely and safely with

Sept. 8. the queen at Paris.[22] At the same time the two houses, at the requisition of the Scottish commissioners, submitted "the propositions" once more to the royal consideration: but

[21] Journals, 375. 385. 388. 391—398. Commons, iv. Aug. 9, 10. 17. 19, 20.

[22] Clarendon papers, ii. 381. Appendix, xli. Rush. vii. 795. Memoirs of Hamiltons, 316.

CHAP. V.

Charles replied, that the plan suggested by the army was better calculated to form the basis of a lasting peace, and professed his readiness to treat respecting that plan with commissioners appointed by the parliament, and others by the army.[23] The officers applauded this answer: Cromwell in the commons spoke in its favour with a vehemence which excited suspicion; and, though it was ultimately voted a refusal, a grand committee was appointed "to take the whole matter respecting the king "into consideration." It had been calculated that this attempt to amalgamate the plan of the parliament with that of the army might be accomplished in the space of twenty days; but it occupied more than two months: for there was now a third house to consult, the council of war, which debated every clause, and notified its resolves to the lords and commons, under the modest, but expressive, name of the desires of the army.[24]

Sept. 11.

Sept. 22.

While the king sought thus to flatter the officers, he doubted their sincerity, and was,

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[23] Of this answer, Charles himself says to the Scottish commissioners, "Be not startled at my answer which I gave yesterday to "the two houses; for if you truly understand it, I have put you in "a right way, where before you were wrong." Memoirs of Hamiltons, 323.

[24] Ludlow, i. 184. Whitelock, 269. Huntingdon in Journals, x. 410. Journals, v. Sept. 22. On the division Cromwell was one of the tellers for the Yea, and colonel Rainsborough, the chief of the levellers, for the No. It was carried by a majority of 84 to 34. Ibid.

CHAP. V.

And intrigues against them. October.

according to his custom, employed in treating with the opposite party. The marquis of Ormond, and the lord Capel,[25] with the Scottish commissioners, waited on him from London; and a resolution was formed that in the next spring, the Scots should enter England with a numerous army, and call on the presbyterians for their aid; that Charles, if he were at liberty, otherwise the prince of Wales, should sanction the enterprize by his presence; and that Ormond should resume the government of Ireland, while Capel summoned to the royal standard the remains of the king's party in England. Such was the outline of the plan; the minor details had not been arranged, when Cromwell, either informed by his spies, or prompted by his suspicions, complained to Ashburnham of the incurable duplicity of his master, who was at the same time soliciting the aid, and plotting the destruction, of the army.[26]

But by this time a new party had risen,

[25] Capel was one of the most distinguished of the royalist commanders, and had lately returned from beyond the sea with the permission of parliament.

[26] Clarendon, iii. 70—72—75. Of the disposition of the Scottish parliament, we have this account from Baillie: "if the king be "willing to ratify our covenant, we are all as one man to restore him "to all his rights, or die by the way; if he continue resolute to reject "our covenant, and only to give us some parts of the matter of it, "many here will be for him, even on these terms; but divers of the "best and wisest are irresolute, and wait till God give more light." Baillie, ii. 260.

CHAP. V.

Rise of the levellers.

equally formidable to royalists, presbyterians, and independents. Its founders were a few fanatics in the ranks, who enjoyed the reputation of superior godliness. They pretended not to knowledge or abilities; they were but humble individuals, to whom God had given reason for their guide, and whose duty it was to act as that reason dictated. Hence they called themselves rationalists, a name which was soon exchanged for the more expressive appellation of levellers. In religion they rejected all coercive authority; men might establish a public worship at their pleasure, but, if it were compulsory, it became unlawful by forcing conscience, and leading to wilful sin: in politics they taught that it was the duty of the people to vindicate their own rights, and do justice to their own claims. Hitherto the public good had been sacrificed to private interest; by the king, whose sole object was the recovery of arbitrary power; by the officers, who looked forward to commands, and titles, and emoluments; and by the parliament, which sought chiefly the permanence of its own authority. It was now time for the oppressed to arise, to take the cause into their own hands, and to resolve "to part with their lives, before "they would part with their freedom."[27] These

[27] Clarendon papers, ii. App. xl. Walker, History of independents, 194. Rushworth, vii. 845. Hutchinson, 287. Secretary Nicholas,

CHAP. V.

doctrines were rapidly diffused: they made willing converts of the dissolute, the adventurous, and the discontented; and a new spirit, the fruitful parent of new projects, began to agitate the great mass of the army. The king was seldom mentioned but in terms of abhorrence and contempt: he was an Ahab or Coloquintida, the everlasting obstacle to peace, the cause of dissension and bloodshed. A paper entitled "the case of the army," accompanied with another under the name of "the agreement of the people," was presented to the general by the agitators of eleven regiments.

Nov. 1. They offered, besides a statement of grievances, a new constitution for the kingdom. It made no mention of king or lords. The sovereignty was said to reside in the people, its exercise to be delegated to their representatives, but with the reservation of equality of law, freedom of conscience, and freedom from forced service in the time of war; three privileges of which the nation would never divest itself: parliaments were to be biennial, and to sit during six months; the elective franchise to be extended, and the representation to be more

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after mentioning the rationalists, adds, "There are a sect of wo-"men lately come from foreign parts, and lodged in Southwark, "called Quakers, who swell, shiver, and shake; and when they come "to themselves (for in all the time of their fits Mahomet's holy ghost "converses with them) they begin to preach what hath been deli-"vered to them by the spirit." Clarendon papers, ii. 383.

CHAP. V.

equally distributed. These demands of the levellers were strenuously supported by the colonels Pride and Rainsborough, and as fiercely opposed by Cromwell and Ireton. The council of officers yielded so far as to require that no more addresses should be made to the king: but the two houses voted the papers destructive of the government, and ordered the authors to be prosecuted; though at the same time to afford some satisfaction to the soldiery, they resolved, that the king was bound to give the royal assent to all laws for the public good, which had been passed and presented to him by the lords and commons.[28] Nov. 6.

The king's escape.

Charles now began to tremble for his safety. He saw that the violence of the levellers daily increased; that the officers, who professed to be his friends, were become objects of suspicion; that Ireton had been driven from the council, and Cromwell threatened with impeachment; that several regiments were in a state of complete insubordination; and that Fairfax himself doubted of his power to restore the discipline of the army. Under these circumstances he revoked the pledge which he had given to the general: and immediately the guards were doubled, several of his servants dismissed, and the gates closed against the introduction of strangers. Whether these pre-

[28] Clarendon papers, ii. App. 39. xl. xli. Journals, v. Nov. 5, 6. Rushworth, vii. 849. 857. 860. 863. Whitelock, 274—277.

CHAP. V.

cautions were taken to prevent an escape, or to lull suspicion, is uncertain: but ten days later, Nov. 11. at the hour of supper, the king was missing: and on his table were found several written papers, of which one was an anonymous letter, warning him of danger to his person, and another a message from himself to the two houses, promising, that though he had sought a more secure asylum, he should be always ready to come forth, "whenever he might be heard "with honour, freedom, and safety."[29]

He is secured in the Isle of Wight.

This unexpected escape drew from the parliament threats of vengeance against all persons who should presume to harbour the royal fugitive: but in the course of three days the intelligence arrived, that he was again a prisoner in the custody of colonel Hammond, who had very recently been appointed governor of the isle of Wight. The king, accompanied by Legge, groom of the chamber, had on the evening of his departure, descended the back stairs into the garden, and repaired to a spot where Berkeley and Ashburnham waited his arrival. A dark and stormy nigh favoured their escape; and they reached in the course of the next day Tichfield house, where they Nov. 12. were cheerfully received by the dowager countess

[29] Journals, ix. 520. Rushworth vii. 871. Clarendon, iii. 77. Memoirs of Hamiltons, 324. Huntingdon, in Journals, (x. 411.) affirms that Cromwell also wrote a letter to the governor announcing the king's danger.

CHAP. V.

of Southampton. Thence Berkeley and Ashburnham proceeded to the isle of Wight to solicit the protection of Hammond, an officer highly trusted by Cromwell, and nephew to one of the king's chaplains. It is acknowledged Nov. 13. that his answer was reserved and cautious: that he professed himself willing to treat the king with honour: but must as a servant obey the orders of his superiors. Taking with him another officer and a file of soldiers, he accompanied the messengers to Tichfield: when Ashburnham announced to Charles that Hammond was below, expecting his majesty's orders, the unfortunate prince exclaimed: "Have you brought him here? Then I am a "lost man." Hammond was introduced; and Charles, mingling promises with flattery, threw himself upon his honour: but the governor was careful not to commit himself: he replied in language dutiful, yet ambiguous; and the king, unable to extricate himself from the danger, with a cheerful countenance, but misboding heart, consented to accompany him to the island. The governor ordered every demonstration of respect to be paid to the royal guest, and lodged him in Carisbrook castle.[30]

[30] Journals, ix. 525. Rushworth, vii. 874. Clarendon, iii. 78—85. Herbert, 52. Ludlow, i. 187—191. It has often been asked where the king meant to go, after he had escaped; and a story told by Clarendon has induced some to suppose that Jersey was his object. But it appears from the testimony of Lauderdale, that when

CHAP. V.

Mutiny suppressed

The increasing violence of the levellers, and the mutinous disposition of the army, had awakened the most serious apprehensions in the superior officers: and Fairfax, by the ad-

Nov. 8. vice of the council, dismissed the agitators to their respective regiments, and ordered the several corps to assemble in three brigades on three different days. Against the time a remonstrance was prepared in his name, in which he complained of the calumnies circulated among the soldiers, stated the objects which he had laboured to obtain, and offered to persist in his endeavours, provided the men would return to their ancient habits of military obedience. All looked forward with anxiety to the result: but no one with more apprehension than Cromwell. His life was at stake. The levellers had threatened to make him pay with his head the forfeit of his intrigues with Charles: and the flight of that prince, by disconcerting their plans, had irritated their

Dec. 15. former animosity. The remonstrance was ordered to be read in succession to each regiment, beginning with those the best affected

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the Scottish commissioners left him, he had fixed on Berwick as a frontier town, in which he might rely on the support of the Scots, without furnishing his enemies with the pretext of saying that he had abdicated the crown by quitting the kingdom. He afterwards changed his opinion, probably at the suggestion of Cromwell (Hollis, 186.). and preferred the isle of Wight, as a place where he might easily treat with the parliament. This is plain, from his letter to the earl of Laneric. See Memoirs of Hamiltons, 326.

to the officers, It was answered with acclamations: the men hastened to subscribe an engagement to obey the commands of the general; and the sowers of discord, the distributors of seditious pamphlets, were pointed out, and taken into custody. From these corps Fairfax proceeded to two regiments, which had presumed to come on the ground without orders. The first, after some discourse, submitted; the second was more obstinate. The privates had expelled the majority of the officers, and wore round their hats this motto, "The people's "freedom, and the soldiers' rights." Cromwell darted into the ranks to seize the ringleaders; his intrepidity daunted the mutineers; one man was immediately shot, three more were condemned, and several others were reserved as pledges for the submission of their comrades.[31] By this act of vigour the officers triumphed, and subordination was restored: but the danger furnished an instructive lesson to Cromwell, who from that day forgot his engagement to the king, and sought to make himself friends both in the parliament and the army. It required some time before the chief matters in dispute between them could be

[31] Whitelock, 278. Journals, ix. 527. Ludlow, i. 192. It was reported among the soldiers that the king had promised to Cromwell the title of earl with a blue ribbon, to his son the office of gentleman of the bed-chamber to the prince, and to Ireton the command of the forces in Ireland. Hollis, 127.

CHAP V.

satisfactorily arranged: but partly by threats, partly by condescension, an accommodation
Dec. 24. was effected, and the officers observed a solemn fast to beg the blessing of heaven on the nation. Cromwell and Ireton lost not this opportunity of proving that their spiritual gifts were equal to their military talents. To the edification of their hearers, they poured out their souls in long and extemporary prayer; and it was confidently asserted that "more harmonious music "had never ascended to the ear of the "Almighty."[32]

King rejects four bills.

The king had yet no reason to repent of his confidence in Hammond: but that governor, while he granted every indulgence to his captive, had no intention of separating his own lot from that of the army. He consulted the officers at the head quarters, and secretly resolved to adhere to their instructions. Charles recommenced his former intrigues. Through the agency of Dr. Gough, one of the queen's chaplains, he sought to prevail on the Scottish commissioners to waive the confirmation of the covenant, as the only price at which they would furnish him with an army; he sent sir John Berkeley to Cromwell and his friends, to remind them of their promises, and to solicit their aid towards a
Nov. 16. personal treaty; and by a message to the par-

[32] Clarendon papers, ii. App. xliv. Whitelock, 284.

liament he proposed, in addition to his former offers, to surrender the command of the army during his life, to exchange the profits of the court of wards for a yearly income, and to provide funds for the discharge of the monies due to the military and to the public creditors. The neglect with which this message was received, and the discouraging answer returned by the officers, awakened his apprehensions: they were confirmed by the Scottish commissioners, who while they complained of his late offer as a violation of his previous engagement, assured him that many of his enemies sought to make him a close prisoner, and that others openly talked of removing him either by a legal trial, or by assassination. These warnings induced him to arrange a plan of escape: application was made to the queen for a ship of war to convey him from the island; and Berwick was selected as the place of his retreat.[33] He had, however, but little time to spare. As their ultimatum, and the only condition on which they would consent to a personal treaty, the houses demanded the royal assent to four bills which they had prepared.[34] The Scots, to de-

Dec. 8.

Dec. 14.

Dec. 15.

[33] Memoirs of Hamilton, 325—333. Ludlow, i. 195—201.

[34] The first of these bills, after vesting the command of the army in the parliament for twenty years, enacted, that after that period, whenever the lords and commons should declare the safety of the kingdom to be concerned, all bills passed by them respecting the forces by sea or land, should be deemed acts of parliament, even though the king for the time being should refuse his assent; the se-

CHAP. V.

lay the proceedings, asked for a copy of the bills, and remonstrated against the alterations which had been made in the propositions of peace. Their language was bold and irritating: they characterised the conduct of the parliament as a violation of the league and covenant: and they openly charged the houses with suffering themselves to be controlled by a body, which owed its origin and its subsistence to their authority. But the independents were not to be awed by the clamour of men, whom they knew to be enemies under the name of allies: they voted the interference of any foreign nation in acts of parliament a denial of the independence of the kingdom, and they ordered the bills to be laid before the king for his as-

Dec. 18.

Dec. 4.

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cond declared all oaths, proclamations, and proceedings against the parliament during the war, void and of no effect: the third annulled all titles of honour granted since the 20th of May, 1642, and deprived all peers to be created hereafter of the right of sitting in parliament, without the consent of the two houses; and the fourth gave to the houses the power of adjourning from place to place at their discretion. Journals, ix. 575. Charles's works, 590—593. Now let the reader turn to Clarendon, history, iii. 88. He tells us, that by one the king was to have confessed himself the author of the war, and guilty of all the blood which had been spilt; by another he was to dissolve the government of the church, and grant all lands belonging to the church to other uses; by a third, to settle the militia without reserving so much power to himself, as any subject was capable of; and in the last place, he was in effect to sacrifice all those who had served him, or adhered to him, to the mercy of the parliament. When this statement is compared with the real bills, it may be judged how little credit is due to the assertions of Clarendon, unless they are supported by other authorities.

CHAP. V.

sent without further delay. The Scots hastened to Carisbrook, in appearance to protest against them, but with a more important object in view. They now relaxed from their former obstinacy: they no longer insisted on the confirmation of the covenant, but were content with a promise, that Charles should make every concession in point of religion, which his conscience would allow. The treaty which had been so long in agitation between them, was privately signed: and the king returned this answer to the two houses, that neither his present sufferings, nor the apprehension of worse treatment, should ever induce him to give his assent to any bills as a part of the agreement, before the whole was concluded.[35] Dec. 28.

Aware of the consequences of his refusal, Charles had resolved to anticipate the vengeance of the parliament by making his escape the same evening; but he was prevented by the vigilance of Hammond, who, whether he had discovered the design, or had previously received his instructions, closed the gates on the departure of the commissioners, doubled the guards, confined the royal captive to his chamber, and dismissed the greater part of his attendants. An attempt to raise in his favour the inhabitants of the island, was instantly sup- Vote of non-addresses.

[35] Journals, ix. 575. 578. 582. 591. 604. 615. 621. Charles's works, 594. Memoirs of Hamiltons, 334.

CHAP. V.

1648. Jan. 3.

pressed, and its author, Burley, formerly a captain in the royal army, suffered the punishment of a traitor. The houses resolved, (and the army promised to live and die with them in defence of the resolution,) that they would receive no additional message from the king; that they would send no address or application to him; that, if any other person did so without leave, he should be subject to the penalties of high treason; and that the committee of public safety should be renewed to sit and act alone, without the aid of foreign coadjutors. This last hint was understood by the Scots: they made a demand of the £100,000 due to them by the treaty of evacuation, and announced their intention of returning immediately to their own parliament.[36]

Jan. 15.

King subjected to farther restraint. Feb. 2.

The king appeared to submit with patience to the new restraints imposed on his freedom: he even affected an air of cheerfulness, to disguise the design which he still cherished of making his escape. The immediate charge of his person had been intrusted to four warders of approved fidelity, who, two at a time, undertook the task in rotation. They accompanied the captive wherever he went, at his meals, at his public devotions, during his recreation on

[36] The vote of non-addresses passed by a majority of 141 to 92. Journals, v. Jan. 3. See also Jan. 11. 15, 1648. Lords' Journals, ix. 640. 662. Rushworth, vii. 953. 961. 965. Leicester's Journal, 30.

CHAP. V.

the bowling-green, and during his walks round the walls of the castle. He was never permitted to be alone, unless it were in the retirement of his bed-chamber; and then one of the two warders was continually stationed at each of the doors which led from that apartment. Yet in defiance of these precautions (such was the ingenuity of the king, so generous the devotion of those who sought to serve him), he found the means of maintaining a correspondence with his friends on the coast of Hampshire, and through them with the English royalists, the Scottish commissioners in Edinburgh, the queen at Paris, and the duke of York at St. James's, who soon afterwards, in obedience to the command of his father, escaped in the disguise of a female to Holland.[37]

April 22.

Public opinion in his favour.

In the mean while an extraordinary ferment seemed to agitate the whole mass of the population. With the exception of the army, every class of men was dissatisfied. Though the war had ceased twelve months before, the nation enjoyed few of the benefits of peace. Those forms and institutions, the safeguards of liberty and property, which had been suspend-

[37] Journals, x. 35. 76. 220. Rushworth, vii. 984. 1002. 1067. 1109. Clarendon, iii. 129. One of those through whom Charles corresponded with his friends, was Firebrace, who tells us that he was occasionally employed by one of the warders to watch for him at the door of the king's bed-chamber, and on such occasions gave and received papers through a small crevice in the boards. See his account in the additions to Herbert's Memoirs, p. 187.

CHAP. V.

ed during the contest, had not been restored: the committees in every county continued to exercise the most oppressive tyranny, and a monthly tax was still levied for the support of the forces, exceeding in amount the sums which had been exacted for the same purpose during the war. No man could be ignorant that the parliament, nominally the supreme authority, was under the controul of the council of officers; and the continued captivity of the king, the known sentiments of the agitators, and, above all, the vote of non addresses, provoked a general suspicion, that it was in contemplation to abolish the monarchical government, and to introduce in its place a military despotism. Four-fifths of the nation began to wish for the re-establishment of the throne. Much diversity of opinion prevailed with respect to the conditions; but all agreed that what Charles had so often demanded, a personal treaty, ought to be granted, as the most likely means to reconcile opposite interests, and to lead to a satisfactory arrangement.

Levellers prevail in the army.

In the army itself the principles of the levellers had been embraced by the majority of the privates, and had made several converts among the officers. These fanatics had discovered in the Bible, that the government of kings was odious in the sight of God;[33] and

[33] 1 Kings, viii. 8.

contended that in fact Charles had now no claim to the sceptre. Protection and allegiance were reciprocal. At his accession he had bound himself by oath to protect the liberties of his subjects, and by the violation of that oath he had released the people from the obligation of allegiance to him. For the decision of the question he had appealed to the God of battles, who, by the result, had decided against his pretensions. He therefore was answerable for the blood which had been shed; and it was the duty of the representatives of the nation to call him to justice for the crime, and, in order to prevent the recurrence of similar mischiefs, to provide for the liberties of all, by founding an equal commonwealth on the general consent. Cromwell invited the patrons of this doctrine to meet at his house the grandees (so they were called) of the parliament and army. The question was argued: but both he and his colleagues were careful to conceal their real sentiments. They did not openly contradict the principles laid down by the levellers, but they affected to doubt the possibility of reducing them to practice. The truth was, that they wished not to commit themselves by too explicit an avowal, before they could see their way plainly before them.[39]

In this feverish state of the public mind in

[39] Ludlow, i. 206. Whitelock, 317.

CHAP. V.

The Scots take up arms for the king.

England, every eye was turned towards the proceedings in Scotland. For some time a notion had been cherished by the Scottish clergy, that the king at Carisbrook had not only subscribed to the covenant, but had solemnly engaged to enforce it throughout his dominions; and the prospect of a speedy triumph over the independents induced them to preach a crusade from the pulpit in favour of the kirk and the throne. But the return of the commissioners, and the publication of "the "agreement" with the king, bitterly disappointed their hopes. It was found that Charles had indeed consented to the establishment of presbyterianism in England, but only as an experiment for three years, and with the liberty of dissent both for himself, and for those who might choose to follow his example. Their invectives were no longer pointed against the independents; "the agreement" and its advocates became the objects of their fiercest attacks. Its provisions were said to be unwarranted by the powers of the commissioners, and its purpose was pronounced an act of apostacy from the covenant, an impious attempt to erect the throne of the king in preference to the throne of Christ. Their vehemence intimidated the Scottish parliament, and admonished the duke of Hamilton to proceed with caution. That no-bleman, whose imprisonment ended with the surrender of Pendennis, had waited on the

king in Newcastle; a reconciliation followed; and he was now become the avowed leader of the royalists, and the moderate presbyterians. That he might not irritate the religious prejudices of his countrymen, he sought to mask his real object, the restoration of the monarch, under the pretence of suppressing heresy and schism: he professed the deepest veneration for the covenant, and the most implicit deference for the authority of the kirk; he listened with apparent respect to the remonstrances of the clerical commission, and openly solicited its members to aid the parliament with their wisdom, and to state their desires. But these were mere words intended to lull suspicion. By dint of numbers (for his party comprised two-thirds of the convention), he obtained the appointment of a committee of danger; this was followed by a vote to place the kingdom in a posture of defence; and the consequence of that vote was the immediate levy of reinforcements for the army. But his opponents under the earl of Argyle, threw every obstacle in his way. They protested in parliament against the war; the commissioners of the kirk demanded that their objections should be previously removed; and the ministers from their pulpits denounced the curse of God on all who should take a share in the unholy enterprise. Forty thousand men had been voted: but though force was frequently employed,

CHAP. V.

and blood occasionally shed, the levy proceeded so slowly, that even in the month of July the grand army did not exceed one fourth of that number.[40]

Also the English royalists.

By the original plan devised at Hampton court, it had been arranged that the entrance of the Scots into England should be the signal for a simultaneous rising of the royalists in every quarter of the kingdom. But the former did not keep their time, and the zeal of the latter could not brook delay. The first who

March 3.

proclaimed the king, was a parliamentary officer, colonel Poyer, mayor of the town, and governor of the castle of Pembroke. He refused to resign his military appointment at the command of Fairfax: and to justify his refusal unfurled the royal standard. Poyer was joined by Langherne and Powel, two officers whose forces had lately been disbanded. Several of the men hastened to the aid of their former leaders; the cavaliers ran to arms in both divisions of the principality; Chepstow was surprised, Carnarvon besieged, and colonel Flem-

May 1.

ing defeated. By these petty successes the unfortunate men were lured on to their ruin. Horton checked their progress; Cromwell followed with five regiments to punish their pre-

May 8.

sumption. The tide immediately changed.

[40] Memoirs of the Hamiltons, 339. 347. 353. Rushworth. vii. 1051. 48. 52. 67. 114. 132, and two circumstantial and interesting letters from Baillie, ii. 280—297. Whitelock, 305.

CHAP. V.

Langherne was defeated; Chepstow was recovered; the besiegers of Carnarvon were cut to pieces. On the refusal of Poyer to surrender, the lieutenant-general assembled his corps after sunset, and the fanatical Hugh Peters foretold that the ramparts of Pembroke, like those of Jericho, would fall before the army of the living God. From prayer and sermon the men hastened to the assault: the ditch was passed, the walls were scaled; but they found the garrison at its post, and after a short, but sanguinary contest, Cromwell ordered a retreat. A regular siege was now formed: and the independent general, notwithstanding his impatience to proceed towards the north, was detained more than six weeks before this insignificant fortress.[41]

Feigned reconciliation of the army and the city. April 9.

Scarcely a day passed, which was not marked by some new occurrence indicative of the approaching contest. An alarming tumult in the city, in which the apprentices forced the guard, and ventured to engage the military under the command of the general, was quickly followed by similar disturbances in Norwich, Thetford, Canterbury, Exeter, and several other towns. They were, indeed, suppressed by the vigilance of Fairfax and the county committees; but the cry of "God and the

[41] Lords' Journals, x. 88. 253. Rushworth, vii. 1016. 38. 66. 97. 129. Heath, 171. Whitelock, 303. 305.

CHAP. V.

"king," echoed and re-echoed by the rioters on these occasions, sufficiently proved that the popular feeling was setting fast in favour of royalty. At the same time petitions from different public bodies poured into the two houses, all concurring in the same prayer, that the army should be disbanded, and the king brought back to his capital.[42] The independent leaders, aware that it would not be in their power to control the city while their forces were employed in the field, sought a reconciliation: the parliament was

April 28. suffered to vote that no change should be made in the fundamental government of the realm by king, lords, and commons; and the citizens in return engaged themselves to live and die with the parliament. Though the promises on both sides were known to be insincere, it was the interest of each to dissemble. Fairfax

May 2. withdrew his troops from Whitehall and the Mews; the charge of the militia was once more intrusted to the lord mayor and the aldermen; and the chief command was conferred on Skippon, an officer, who, if he did not on every subject agree with the independents, was yet distinguished by his marked opposition to the policy of their opponents.

Insurrection in Kent. May 23.

The inhabitants of Surrey and Essex felt dissatisfied with the answers given to their petitions: those of Kent repeatedly assembled

[42] Journals, 243. 60. 67. 72. Commons, April 13. 27. May 16. Whitelock, 299. 302, 3. 5, 6.

CHAP. V.

to consider their grievances, and to consult on the means of redress. These meetings, which originated with a private gentleman of the name of Hales, soon assumed the character of loyalty and defiance. Associations were formed, arms collected, and plans arranged. In a few days the spirit which prevailed on land communicated itself to the ships in the river: six men of war, fully equipped for the summer service, declared in favour of the king: and the mariners, in defiance of the arguments and entreaties of Rainsborough their commander, and the earl of Warwick, who addressed them in the character of lord high admiral, proceeded under the royal colours to the Hague, in search of the young duke of York, whom they chose for their commander-in-chief. But the alarm excited by the revolt of the fleet, was quieted by the success of Fairfax against the insurgents on land. The cavaliers had ventured to oppose him in the town of Maidstone, and for six hours, aided by the advantage of their position, they resisted the efforts of the enemy; but their loss was proportionate to their valour, and two hundred fell in the streets, four hundred were made prisoners. Many of the countrymen, discouraged by this defeat, hastened to their homes. Goring, earl of Newport, putting himself at the head of a different body, advanced to Blackheath, and solicited admission into the city. It was a moment big with

May 27.

June 1.

June 2.

CHAP. V.

the most important consequences. The king's friends formed a numerous party; the common council wavered; and the parliament possessed no armed force to support its authority. The leaders saw that they had but one resource, to win by conciliation. The aldermen imprisoned at the request of the army were set at liberty; the impeachment against the six lords was discharged; and the excluded members were permitted to resume their seats. These concessions, aided by the terror which the victory at Maidstone inspired, and by the vigilance of Skippon, who intercepted all communication between the royalists and the party at Blackheath, defeated the project of Goring. That commander, having received a refusal, crossed the river, called the men of Essex to his assistance, and fixed his head-quarters in Colchester. The town had no other fortification than a low rampart of earth; but, relying on his own resources and the constancy of his followers, he resolved to defend it against the enemy, that he might detain Fairfax and his army in the south, and keep the north open to the advance of the Scots. This plan succeeded: Colchester was assailed and defended with equal resolution; nor was its fate decided till the failure of the Scottish invasion had proved the utter hopelessness of the royal cause.[43]

June 3.

June 4.

[43] Journals, x. 276. 8, 9. 283. 9. 297. 301. 304. Commons, May

CHAP. V.

Presbyterians again superior in parliament

It soon appeared that the restoration of the impeached and excluded members, combined with the departure of the officers to their commands in the army, had imparted a new tone to the proceedings in parliament. Hollis resumed not only his seat, but his preponderance in the lower house. The measures which his party had formerly approved, were again adopted; and a vote was passed to open a new treaty with the king, on condition that he should previously engage to give the royal assent to three bills, revoking all declarations against the parliament, establishing the presbyterian discipline for the term of three, and vesting the command of the army and navy in certain persons during that of ten years. But among the lords a more liberal spirit prevailed. The imprisonment of the six peers had taught them a salutary lesson. Aware that their own privileges would infallibly fall with the throne, they rejected the three bills of the commons, voted a personal treaty without any previous conditions, and received from the common council an assurance that, if the king were suffered to come to London, the city would guarantee both the royal person and the two houses from insult and danger. But Hollis and his adherents refused to yield; conference after conference was held; and the two parties con-

24, 25. June 4. S. Whitelock, 307. 8. 9. 310. Clarendon, iii. 133. 151. 154.

CHAP. V.

tinued for more than a month to debate the subject without interruption from the independents. These had no leisure to attend to such disputes. Their object was to fight and conquer, under the persuasion that victory in the field would restore to them the ascendency in the senate.[44]

Defeat of the Scots, July 8.

It was now the month of July, and the English royalists had almost abandoned themselves to despair, when they received the cheering intelligence that the duke of Hamilton had at last crossed the borders at the head of 30,000 men. Report had indeed exaggerated his force, which did not amount to more than half that number; but he was closely followed by Monroe, who led 3000 veterans from the Scottish army in Ireland, and was accompanied or preceded by sir Marmaduke Langdale, the commander of 4000 cavaliers, men of approved valour, and who had staked their all on the result. With such an army a general of talent and enterprise might have re-placed the king on his throne; but Hamilton, though possessed of personal courage, was diffident of his own powers, and resigned himself to the guidance of men who sacrificed the interests of the service to their private jealousies and feuds. Forty days were consumed in a short march of eighty miles; and when the decisive battle was fought, though

[44] Journals, 308. 349. 351. 362. 364. 367. Commons, July 5. Whitelock, 315, 316. 318, 319.

the main body had reached the left bank of the Ribble near Preston, the rear guard, under Monroe, slept in security at Kirkby Lonsdale. Cromwell having with difficulty reduced Pembroke, had joined Lambert, the parliamentary general, in Yorkshire. Their united force did not exceed 9,000 men: but the impetuosity of the general despised inequality of numbers; and the ardour of his men induced him to lead them without delay against the enemy. From Clithero, Langdale, who had watched his motions, fell back on the Scottish army near Preston, and warned the duke to prepare for battle on the following day. Of the disasters which followed it is impossible to form any consistent notion from the discordant statements of the Scottish officers, each of whom, anxious to exculpate himself, laid the chief blame on some of his colleagues. This only is certain, that the cavaliers fought with the obstinacy of despair; that for six hours they bore the whole brunt of the battle: that as they retired from hedge to hedge, they solicited from the Scots a reinforcement of men, and a supply of ammunition; and that, unable to obtain either, they retreated into the town, where they learned to their surprise that their allies were in full march towards Wigan, and the enemy in possession of the bridge over the river. Langdale, in this extremity, ordered his infantry to disperse; and with the cavalry and the duke, who had

Aug. 18.

CHAP. V.

refused to abandon his English friends, swam across the Ribble. Never, perhaps, was so complete a victory obtained at less expense. Of the Scottish forces, none but the regiments under Monroe and the stragglers who rejoined him, returned to their native country. Two-thirds of the infantry, in their eagerness to escape, fell into the hands of the neighbouring inhabitants; nor did Baillie, their general, when he surrendered at Warrington, number more than 3000 men under their colours. The duke wandered as far as Uttoxeter with the cavalry: there his followers mutinied, and he yielded himself a prisoner to general Lambert and the lord Grey of Groby. The cavaliers disbanded themselves in Derbyshire; their gallant leader, who travelled in disguise, was discovered and taken in the vicinity of Nottingham.[45]

Aug. 20.

Aug. 25.

And of the earl of Holland.

On the very day on which the Scots began their march, a feeble attempt had been made to assist their advance by raising the city of London. Its author was one who by his inconstancy had deservedly earned the contempt of every party, the earl of Holland. He had during the contest passed from the king to the parliament, and from the parliament to the king. His ungracious reception by the royal-

[45] Memoirs of Hamiltons, 355–365. Lords' Journals, x. 455–458. Rushworth. vii. 1237. 1242.

ists induced him to return to their opponents, by whom he was at first treated with severity, afterwards with neglect. Whether it were resentment or policy, he now professed himself a true penitent, offered to redeem his past errors by future services, and obtained from the prince of Wales a commission to raise forces. As it had been concerted between him and Hamilton, on the fifth of July he marched at the head of 500 horse, in warlike array from his house in the city, and having fixed his quarters in the vicinity of Kingston, sent messages to the parliament and the common council, calling on them to join him in putting an end to the calamities of the nation. On the second day, through the negligence, it was said, of Dalbier, his military confident, he was surprised, and fled with a few attendants to St. Neots: there a second action followed, and the earl surrendered at discretion to his pursuers. His misfortune excited little interest; but every heart felt compassion for two young noblemen whom he had persuaded to engage in this rash enterprise, the duke of Buckingham and his brother the lord Francis Villiers. The latter was slain at Kingston; the former, after many hair-breadth escapes, found an asylum on the continent.[46]

July 5.

July 7.

July 10.

[46] Clarendon, iii. 121. 176. Whitelock, 317, 318, 320. Lords' Journals, 367. Commons, July 7. 12. Leicester's Journal, 35.

CHAP. V.

Surrender of Colchester.

The discomfiture of the Scottish army was followed by the surrender of Colchester. While there was an object to fight for, Goring and his companions had cheerfully submitted to every privation; now that not a hope remained, they offered to capitulate, and received for answer that quarter would be granted to the privates, but that the officers had been declared traitors by the parliament, and must surrender at discretion. These terms were accepted: the council deliberated on the fate of the captives; and two, sir George Lisle and sir Charles Lucas, were selected for execution. Both had been distinguished by their bravery, and were reckoned among the first commanders in the royal service. Lucas tearing open his doublet, exclaimed, "Fire, rebels!" and instantly fell. Lisle ran to him, kissed his dead body, and turning to the soldiers, desired them to advance nearer. One replied, "Fear not, sir, we shall hit you." "My "friends," he answered, "I have been nearer, "when you have missed me." The blood of these brave men impressed a deep stain on the character of Fairfax, nor was it wiped away by the efforts of his friends, who attributed their death to the revengeful counsels of Ireton.[47]

Aug. 28.

[47] Journals, x. 477. Rushworth, vii. 1242, 1244. Clarendon, iii. 177.

CHAP. V.

At this time the prince of Wales had been more than six weeks in the Downs. As soon as he heard of the revolt of the fleet, he repaired to the Hague, and taking upon himself the command, hastened with nineteen sail to the English coast. Had he appeared before the isle of Wight, there can be little doubt that Charles would have recovered his liberty; but the council with the prince, decided that it was more for the royal interest to sail to the mouth of the river, where they long continued to solicit by letters the wavering disposition of the parliament and the city. While Hamilton advanced, there seemed a prospect of success: the destruction of his army extinguished their hopes. The king by a private message suggested that before their departure from the coast, they should free him from his captivity. But the mariners proved that they were the masters. They demanded to fight the hostile fleet under the earl of Warwick, who studiously avoided an engagement that he might be joined by a squadron from Portsmouth. During two days the royalists offered him battle: by different manœuvres he eluded their attempts; and on the third day the want of provisions compelled the prince to steer for the coast of Holland, without paying attention to the request of his royal father. Warwick, who had received his reinforcements, followed at a considerable distance: but, though he de-

Prince of Wales in the Downs. July 20.

Aug. 30.

CHAP. V.

fended his conduct on motives of prudence, he did not escape the severe censure of the independents and levellers, who maintained that the cause had always been betrayed when it was intrusted to the cowardice or disaffection of noble commanders.[48]

Treaty of Newport.

It is now time to revert to the contest between the two houses respecting the proposed

July 28.

treaty with the king. Towards the end of July the commons had yielded to the obstinacy of

Aug. 19.

the lords: the preliminary conditions on which they had insisted, were abandoned, and the vote of non-address was repealed. Hitherto these proceedings had been marked with the characteristic slowness of every parliamentary measure: but the victory of Cromwell over Hamilton, and the danger of interference on the part of the army, alarmed the presbyterian leaders; and fifteen commissioners, five lords,

Sep. 1.

and ten commoners, were appointed to conduct the negociation.[49] Charles repaired from his prison in Carisbrook castle to the neighbouring town of Newport: he was suffered to call around him his servants, his chaplains, and such of his counsellors, as had taken no part in the

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[48] Lords' Journals, x. 399. 414. 417. 426. 444. 483. 488. 494. Clarendon papers, ii. 412. 414.

[49] They were the earls of Northumberland, Salisbury, Pembroke and Middlesex, the lords Say and Seale, lord Wenman, sir Henry Vane, junior, sir Harbottle Grimstone, and Hollis, Pierrepont, Brown, Crew, Glyn, Potts and Bulkely.

war; and, as far as outward appearances might be trusted, he had at length obtained the free and honourable treaty, which he had so often solicited. Still he felt that he was a captive, under promise not to leave the island till twenty days after the conclusion of the treaty; and he soon found in addition that he was not expected to treat, but merely to submit. How far the two houses might have yielded in other circumstances, is uncertain: but, under the present superiority of the army, they dared not descend from the lofty pretensions which they had formerly put forth. The commissioners were permitted to argue, to advise, to entreat: but they had no power to concede; their instructions bound them to insist on the king's assent to every proposition which had been submitted to his consideration at Hampton court. To many of these demands Charles made no objection; in lieu of those which he refused, he substituted proposals of his own. These were forwarded to the parliament, and voted unsatisfactory: he offered new expedients and modifications; but the same answer was invariably returned, till the necessity of his situation had wrung from the unfortunate prince his unqualified assent to most of the articles in debate. On four points only he remained inflexible. Though he agreed to suspend for three years, he refused to abolish entirely, the functions of the bishops: he objected to the

CHAP. V.

perpetual alienation of the episcopal lands, but proposed to grant leases of them for lives or for ninety-nine years in favour of the present purchasers: he contended that all his followers, without any exception, should be admitted to compound for their delinquency; and he protested that till his conscience were satisfied of the lawfulness of the covenant, he would neither swear to it himself, nor impose it upon others. Such was the state of the negociation, when the time allotted by the parliament expired.[50]

Plan of new constitution.

The independents from the very beginning had disapproved of the treaty. In a petition

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[50] The papers given in during this treaty may be seen in the Lords' Journals, x. 474—618. The best account is that composed by order of the king himself, for the use of the prince of Wales. Clarendon papers, ii. 425—449. I should add, that a new subject of discussion arose incidentally during the conferences. The lord Inchiquin had abandoned the cause of the parliament in Ireland, and at his request Ormond had been sent from Paris by the queen and the prince, to resume the government, with a commission to make peace with the catholic party. Charles wrote to him two letters (Oct. 10. 28. Carte, ii. app. xxxi. xxxii.) ordering him to follow the queen's instructions, to obey no commands from himself as long as he should be under restraint; and not to be startled at his concessions respecting Ireland for they would come to nothing. Of these letters the houses were ignorant: but they got possession of one from Ormond to the Irish catholics, and insisted that Charles should order the lord lieutenant to desist. This he eluded for some time, alleging that, if the treaty took effect, their desire was already granted by his previous concessions, if it did not, no order of his would be obeyed. At last he consented, and wrote the letter required. Journals, x. 576—578. 597. 618. Clarendon papers, ii. 441. 445. 452.

CHAP. V.

Sept. 11.

presented by "thousands of well-affected per- "sons in and near London," they enumerated the objects for which they had fought, and which they now claimed as the fruit of their victory. Of these the principal were, that the supremacy of the people should be established against the negative voice of the king and of the lords; that to prevent civil wars, the office of the king and the privileges of the peers should be clearly defined; that a new parliament, to be elected of course and without writs, should assemble every year, but never for a longer time than forty or fifty days: that religious belief and worship should be free from restraint or compulsion; that the proceedings in law should be shortened, and the charges ascertained: that tithes for the support of the clergy, and perpetual imprisonment for debt, should be abolished; and that the parliament "should lay to heart the blood spilt, and the "rapine perpetrated by commission from the "king, and consider whether the justice of "God could be satisfied, or his wrath be ap- "peased, by an act of oblivion." This instrument is the more deserving of attention, because it points out the political views which actuated the leaders of the party.[51]

Hints of bringing the king to trial.

In the army, flushed as it was with victory, and longing for revenge, maxims began to pre-

[51] Whitelock, 335.

CHAP. V.

vail of the most dangerous tendency in respect of the royal captive. The politicians maintained that no treaty could be safely made with the king, because if he were under restraint, he could not be bound by his consent, if he were restored to liberty, he could not be expected to make any concessions. The fanatics went still further. They had read in the book of Numbers that "blood defileth the land, and the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed it:" and hence they inferred that it was a duty, imposed on them by the God who had given them the victory, to call the king to a strict account for all the blood which had been shed during the civil war. Among these one of the most eminent was colonel Ludlow, a member of parliament, who, having persuaded himself that the anger of God could be appeased only by the death of Charles, laboured, though in vain, to make Fairfax a convert to his opinion. He proved more successful with Ireton, whose

Oct. 18. regiment petitioned the commander in chief, that crime might be impartially punished without any distinction of high or low, rich or poor; that all who had contrived or abetted the late rebellion, might receive their just deserts: and that whosoever should speak or act in favour of the king before he had been acquitted of shedding innocent blood, should incur the penalties of treason. The immediate object of this paper

CHAP. V.

was to try the general disposition of the army. Though it did not openly express, it evidently contemplated the future trial of the king; and was followed by another petition from the regiment of colonel Ingoldsby, which in plainer and bolder terms demanded that the monarch and his adherents should be brought to justice; condemned the treaty between him and the parliament as dangerous and unjust; and required the appointment of a council of war to discover an adequate remedy for the national evils. Fairfax had not the courage to oppose what, in his own judgement he disapproved: the petitions were laid before an assembly of officers; and the result of their deliberation was a remonstrance, which in a tone of menace and asperity, proclaimed the whole plan of the reformers. It required that "the capital and "grand author of all the troubles and woes "which the kingdom had endured, should be "speedily brought to justice for the treason, "blood, and mischief of which he had been "guilty;" that a period should be fixed for the dissolution of the parliament; that a more equal representation of the people should be devised; that the representative body should possess the supreme power, and elect every future king; and that the prince so elected should be bound to disclaim all pretensions to a negative voice in the passing of laws, and to subscribe to that

Oct. 30.

Petition for that purpose.

CHAP. V.

form of government which he should find established by the present parliament. This remonstrance was addressed to the lower house alone; for the reformers declared themselves unable to understand on what ground the lords could claim co-equal power with the representatives of the people, in whom alone the sovereignty resided.[52] It provoked a long and animated debate; but the presbyterians met its advocates without fear, and silenced them by an overwhelming majority. They felt that they were supported by the general wish of the nation, and trusted, that if peace were once established by agreement with the king, the officers would not dare to urge their pretensions. With this view they appointed a distant day for the consideration of the remonstrance, and instructed the commissioners at Newport to hasten the treaty to a speedy conclusion.[53]

Nov. 18.

Nov 20.

King's answer to the parliament.

The king now found himself driven to the last extremity. The threats of the army resounded in his ears; his friends conjured him to recede from his former answers; and the commissioners declared their conviction, that without full satisfaction the two houses could not save him from the vengeance of his enemies.

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[52] Whitelock, 343. 346. 355. Rushworth, vii. 1298. 1311. 1331.

[53] Journals of Commons, Nov. 20. 24. 30. There were two divisions relating to this question; in the first the majority was 94 to 60, in the second 125 to 58.

CHAP. V.

To add to his alarm, Hammond, the governor of the island, had received a message from Fairfax to repair without delay to the head quarters at Windsor. This was followed by the arrival of colonel Eure, with orders to seize the king, and confine him again in Carisbrook castle, or, if he met with opposition, "to act as "God should direct him." Hammond replied with firmness, that in military matters he would obey his general; but as to the royal person, he had received the charge from the parliament, and would not suffer the interference of any other authority. Eure departed: but Charles could no longer conceal from himself the danger which stared him in the face; his constancy or obstinacy relented; and he agreed, after a most painful struggle, and when the time was run to the last minute, to remit the compositions of his followers to the mercy of parliament; to consent to the trial of the seven individuals, excepted from pardon, provided they were allowed the benefit of the ancient laws; and to suspend the functions and vest in the crown the lands of the bishops, till religion should be settled, and the support of its ministers determined by common consent of the king and the two houses. By this last expedient it was hoped that both parties would be satisfied: the monarch, because the order was not abolished, nor its lands alienated for ever; the parliament, because

Nov. 25.

Nov. 26.

Nov. 27.

CHAP. V.

neither one nor the other could be restored without its previous consent.[54]

His parting address to the commissioners. Nov. 28.

In the morning, when the commissioners took their leave, Charles addressed them with a sadness of countenance, and in a tone of voice which drew tears from all his attendants. "My lords," said he, "I believe we shall "scarce ever see each other again. But God's "will be done! I have made my peace with "him, and shall undergo without fear whatever "he may suffer men to do to me. My lords,

[54] Clarendon papers, 449—454. Journals, x. 620—622. The royalists excepted from mercy were the marquess of Newcastle, sir Marmaduke Langdale, lord Digby, sir Richard Greenville, Mr. justice Jenkins, sir Francis Doddrington, and lord Byron. It appears to me difficult to read the letters written by Charles, during the treaty, to his son the prince of Wales (Clarendon papers, ii. 425—454), and yet believe that he had acted with insincerity. But how then, asks Mr. Laing (Hist. of Scotland, iii. 411.), are we to account for his assertion to Ormond, that the treaty would come to nothing, and for his anxiety to escape manifested by his correspondence with Hopkins? (Wagstaff's Vindication of the Royal Martyr, 142—161.) 1°. Charles knew that, besides the parliament, there was the army, which had both the will and the power to set aside any agreement which might be made between him and the parliament; and hence arose his conviction that "the treaty would come to nothing." 2°. He was acquainted with all that passed in the private councils of his enemies; with their design to bring him to trial and to the scaffold; and he had also received a letter, informing him of an intention to assassinate him during the treaty. (Herbert, 134.) Can we be surprised, if, under such circumstances, he sought to escape? Nor was his parole an objection. He conceived himself released from it by misconduct on the part of Hammond, who, at last, aware of that persuasion, prevailed on him, though with considerable difficulty, to renew his pledge. (Journals, x. 593.) After this renewal he refused to escape even when every facility was offered him. Rushworth, vii. 1344.

CHAP. V.

"you cannot but know that in my fall and ruin "you see your own, and that also near you. I "pray God send you better friends than I have "found. I am fully informed of the carriage "of them who plot against me and mine: but "nothing affects me so much as the feeling I "have of the sufferings of my subjects, and the "mischief that hangs over my three kingdoms, "drawn upon them by those who, upon pre- "tences of good, violently pursue their own "interests and ends."[55] Hammond departed at the same time with the commissioners; and the command at Carisbrook devolved on Boreman, an officer of the militia, at Newport on Rolfe, a major in the army. To both he gave a copy of his instructions from the parliament for the safety of the royal person: but the character of Rolfe was known; he had been charged with a design to take the king's life six months before, and had escaped a trial by the indulgence of the grand jury, who ignored the bill, because the main fact was attested by the oath of only one witness.[56]

He is carried away by the army. Nov. 29.

The next morning a person in disguise ordered one of the royal attendants to inform the king, that a military force was on its way to make him prisoner. Charles immediately consulted the duke of Richmond, the earl of Lind-

[55] Appendix to Evelyn's Memoirs, ii. 128.

[56] Journals, x. 615. 345. 349. 358. 370. 390. Clarendon, iii. 234.

CHAP. V.

say, and colonel Coke, who joined in conjuring him to save his life by an immediate escape. The night was dark and stormy: they were acquainted with the watch-word; and Coke offered him horses and a boat. But the king objected that he was bound in honour to remain twenty days after the treaty, nor would he admit of the distinction which they suggested, that his parole was given not to the army, but to the parliament. It was in vain that they argued and entreated: Charles with his characteristic obstinacy retired to rest about midnight; and in a short time lieutenant colonel Cobbett arrived with a troop of horse and a
Nov. 30. company of foot. Boreman refused to admit him into Carisbrook. But Rolfe offered his aid at Newport: at five the king was awakened by a message that he must prepare to depart; and about noon he was safely lodged in Hurst castle, situate on a solitary rock, and connected by a narrow causeway two miles in length with the opposite coast of Hampshire.[57]

The same day the council of officers published a menacing declaration against the house of commons. It charged the majority with apostacy from their former principles, and appealed from their authority to "the extraordi-" nary judgment of God and of all good people;" called on the faithful members to protest against

[57] Rushworth, vii. 1344—1348. 1351. Herbert, 113. 124.

CHAP. V.

the past conduct of their colleagues, and to place themselves under the protection of the army; and asserted, that since God had given to the officers the power, he had also made it their duty to provide for the settlement of the kingdom, and the punishment of the guilty. In the pursuit of these objects, Fairfax marched several regiments to London, and quartered them at Whitehall, York house, the Mews, and in the skirts of the city.[58] Dec. 2.

The reader will recollect the pusillanimous conduct of the presbyterian members on the approach of the army in the year 1646. On the present occasion they resolved to redeem their character. They betrayed no symptom of fear, no disposition to retire, or to submit. Amidst the din of arms and the menaces of the soldiers, they daily attended their duty in parliament, declared that the seizure of the royal person had been made without their knowledge or consent, and proceeded to consider the tendency of the concessions made by Charles in the treaty of Newport. This produced the longest and most animated debate hitherto known in the history of parliament. Vane drew a most unfavourable portrait of the king, and represented all his promises and professions as hollow and insincere: Fiennes became

Commons vote the agreement with the king.

[58] Rushworth, vii. 1341. 1350. Whitelock, 358.

CHAP. V.

for the first time the royal apologist, and refuted the charges brought by his fellow commissioner: and Prynne, the celebrated adversary of Laud, seemed to forget his antipathy to the court, that he might lash the presumption and perfidy of the army. The debate continued by successive adjournments three days and a whole night; and on the last division in the morning a resolution was carried by a majority of forty-six, that the offers of the sovereign furnished a sufficient ground for the future settlement of the kingdom.[59]

The house of commons is purified.

But the victors were not suffered to enjoy their triumph. The next day Skippon discharged the guards of the two houses, and their place was supplied by a regiment of horse and another of foot from the army. Colonel Pride stationed himself in the lobby: in his hand he held a list of names, while the lord Grey stood by his side to point out the persons of the members; and two and fifty presbyterians, the most distinguished of the party by their talents or influence, were taken into custody, and conducted to different places of confinement. Many of those who passed the ordeal on this, met with a similar treatment on the following,

[59] Journals, Dec. 1, 2, 3 5. Clarendon papers, ii. App. xlviii. Cobbett, Parl. Hist. 1152. In some of the previous divisions the house consisted of 240 members: but several seem to have retired during the night; at the conclusion there were only 212.

day: numbers embraced the opportunity to retire into the country; and the house was found, after repeated purifications, to consist of about fifty individuals, who, in the quaint language of the time, were afterwards dignified with the honourable appellation of the "rump."[60]

Cromwell returns from Scotland.

Whether it were through policy or accident, Cromwell was not present to take any share in these extraordinary proceedings. After his victory at Preston he had marched in pursuit of Monroe, and had besieged the important town of Berwick. But his real views were not confined to England. The defeat of the Scottish royalists had raised the hopes of their opponents in their own country. In the western shires the curse of Meroz had been denounced from the pulpit against all who refused to arm in defence of the covenant: the fanatical peasants marshalled themselves under their respective ministers; and Loudon and Eglington, assuming the command, led them to Edinburgh.[61] This tumultuary mass, though joined by Argyle and his highlanders, and by Cassilis with the people of Carrick and Galloway, was no

[60] Whitelock, 358, 359. Commons' Journals, Dec. 6, 7.

[61] This was called the inroad of the Whiggamores, a name given to these peasants either from whiggam, a word employed by them in driving their horses, or from whig (Anglicé whey), a beverage of sour milk, which formed one of the principal articles of their meals. Burnet's History of his own Times, i. 43. It soon came to designate an enemy of the king, and in the next reign was transferred, under the abbreviated form of whig, to the opponents of the court.

CHAP. V.

match for the disciplined army under Laneric and Monroe: but Cromwell offered to advance
Sept. 26. to their support, and the two parties hastened to reconcile their differences by a treaty, which secured to the royalists their lives and property,
Sept. 30. on condition that they should disband their forces. Argyle with his associates assumed the name and the office of the committee of the
Oct. 4. estates; Berwick and Carlisle were delivered to the English general: and he himself with his army was invited to the capital. Amidst the public rejoicing, private conferences, of which the-
Oct. 11. subject never transpired, were repeatedly held; and Cromwell returning to England, left Lambert with two regiments of horse, to support the government of his friends till they could raise a sufficient force among their own party.[62] His progress through the northern counties was slow: nor did he reach the capital till the day after the exclusion of the presbyterian members. His late victory had rendered him the idol of the soldiers: he was conducted with acclamations of joy to the royal apartments in Whitehall, and received the next day the thanks of the house of commons for his distinguished services to the two kingdoms. Of his sentiments with respect to the late proceedings no doubt was entertained. If he had not suggested, he had at least been

[62] Memoirs of the Hamiltons, 367—377. Guthrie, 283—299. Rushworth, vii. 1273. 1282. 86. 1296. 1325.

careful to applaud the conduct of the officers, and in a letter to Fairfax he blasphemously attributed it to the inspiration of the Almighty.[63] CHAP. V.

The government of the kingdom had now devolved in reality on the army. There were two military councils, the one select, consisting of the grandees, or principal commanders, the other general, to which the inferior officers, most of them men of levelling principles, were admitted. A suspicion existed that the former aimed at the establishment of an oligarchy: whence their advice was frequently received with jealousy and distrust, and their resolutions were sometimes negatived by the greater number of their inferiors. When any measure had received the approbation of the general council, it was carried to the house of commons, who were expected to impart to it the sanction of their authority. With ready obedience they renewed the vote of non-addresses, resolved that the re-admission of the eleven expelled members was dangerous in its consequences, and contrary to the usages of the house, and declared that the treaty in the isle of Wight, and the approbation given to the royal concessions, were dishonourable to parliament, destructive of the common good, and a breach of the public faith.[64] But these were only preparatory mea- Independents prevail. Dec. 13.

[63] Journals, Dec. 8. Whitelock, 362. Rushworth, vii. 1339.

[64] Journals, Dec. 3. 13, 14, 20. Whitelock, 362, 363. Clarendon papers, ii. App. xlix.

CHAP V.

sures: they were soon called upon to pass a vote, the very mention of which a few years before would have struck the boldest among them with astonishment and terror.

Resolution to proceed against the king.

It had long been the conviction of the officers that the life of the king was incompatible with their safety. If he were restored, they would become the objects of royal vengeance: if he were detained in prison, the public tranquillity would be disturbed by a succession of plots in his favour. In private assassination there was something base and cowardly from which the majority revolted: but to bring him to public justice, was to act openly and boldly; it was to proclaim their confidence in the goodness of their cause; to give to the world a splendid proof of the sovereignty of the people, and of the responsibility of kings.[65] When the motion was made in the commons, a few ventured to oppose it, not so much with the hope of saving the life of Charles, as for the purpose of transferring the odium of his death on its real authors. They suggested that the person of the king was sacred; that history afforded no precedent of a sovereign compelled to plead before a court of judicature composed of his own subjects; that measures of vengeance could only serve to widen the bleeding wounds of the country; that it was idle to fear any re-action in favour

Dec. 23.

[65] Clarendon Hist. iii. 249.

of the monarch, and time to settle on a permanent basis the liberties of the country. But their opponents were clamorous, obstinate, and menacing. The king, they maintained, was the capital delinquent: justice required that he should suffer as well as the minor offenders. He had been guilty of treason against the people, it remained for *their* representatives to bring him to punishment: he had shed the blood of man: God made it their duty to demand his blood in return. The opposition was silenced; and a committee of thirty-eight members was appointed to devise the most eligible manner of proceeding. At the head of the names stood those of Widdrington and Whitelock. They declined to attend; and when the clerk brought them a summons, they retired into the country.[66]

Appointment of the high court of justice.

Jan. 1.

At the recommendation of this committee, the house passed a vote declaratory of the law, that it was high treason in the king of England, for the time being, to levy war against the parliament and kingdom of England; and this was followed up with an ordinance erecting a high court of justice to try the question of fact, whether Charles Stuart, king of England, had or had not been guilty of the treason described in the preceding vote. But the subserviency of the commons was not imitated by the lords.

[66] Journals, Dec. 23. Whitelock, 363.

CHAP. V.

They remembered the admonition of the king at Newport: they saw the approaching ruin of their own order in the fall of the sovereign; and when the vote and ordinance were transmitted to their house, they rejected both without a dissentient voice. This unexpected effort surprised, but did not disconcert the independents. They prevailed on the commons to vote that the people are the origin of all just power, and from this theoretical truth proceeded to deduce two practical falsehoods. As if no portion of that power had been delegated to the king and the lords, they determined that "the "commons of England assembled in parliament, "being chosen by and representing the people, "have the supreme authority;" and thence inferred that "whatsoever is enacted and declared "for law by the commons in parliament hath "force of law, and concludes all the people of "the nation, although the consent and concur- "rence of the king and the house of peers be "not had thereunto." But even in that hypothesis, how could the house, constituted as it then was, claim to be the representative of the people? It was, in fact, the representative of the army only; and not a free but an enslaved representative, bound to speak with the voice, and to enregister the decrees of its masters.[67]

Jan. 2.

Jan. 4.

[67] Journals, x. 641. Commons, Jan. 1, 2. 4. 6. Hitherto the lords had seldom exceeded seven in number: but on this occasion they amounted to fourteen. Leicester's Journal 47.

CHAP. V.

Hypocrisy of Cromwell.

In the mean while Cromwell continued to act his accustomed part. Whenever he rose in the house it was to recommend moderation, to express the doubts which agitated his mind, to protest that, if he assented to harsh and ungracious measures, he did it with reluctance, and solely in obedience to the will of the Almighty. Of his conduct during the debate on the king's trial, we have no account; but when it was suggested to dissolve the upper house, and transfer its members to that of the commons, he characterised the proposal as originating in revolutionary phrenzy; and on the introduction of a bill to alter the form of the great seal, adopted a language which strongly marks the hypocrisy of the man, though it was calculated to make impression on the fanatical minds of his hearers. "Sir," said he, addressing the speaker, "if any man whatsoever have carried "on this design of deposing the king, and disin- "heriting his posterity, or if any man have still "such a design, he must be the greatest traitor "and rebel in the world: but since the providence "of God has cast this upon us, I cannot but "submit to providence, though I am not yet "prepared to give you my advice."[68] Jan. 9.

[68] For Cromwell's conduct see the letters in the Appendix to the second volume of the Clarendon papers, l. li. The authenticity of this speech has been questioned, as resting solely on the treacherous credit of Perinchief: but it occurs in a letter written on the 11th of January, which describes the proceedings of the 9th, and therefore

CHAP. V.

Conduct of Fairfax.

The lord general, on the contrary, began to assume a more open and a bolder tone. Hitherto, instead of leading, he had been led. That he disapproved of much that had been done, we may readily believe; but he only records his own weakness, where he alleges in excuse of his conduct that his name had been subscribed to the resolves of the council, whether he consented or not. He had lately shed the blood of two gallant officers at Colchester, but no solicitations could induce him to concur in shedding the blood of the king. His name stood at the head of the commissioners: he at-

[Jan. 8.

tended at the first meeting, in which no business was transacted, but he constantly refused to be present at their subsequent sittings, or to subscribe his name to their resolutions. This conduct surprised and mortified the independents; it probably arose from the influence of his wife, whose desperate loyalty will soon challenge the attention of the reader.[69]

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cannot, I think, be questioned. By turning to the journals it will be found, that on that day the house had divided on a question whether any more messages should be received from the lords, which was carried in opposition to Ludlow and Martyn. "Then," says the letter, "they fell on the business of the king's trial." On this head nothing is mentioned in the journals; but a motion which would cause frequent allusions to it, was made and carried. It was for a new great seal, on which should be engraven the house of commons with this inscription. "In the first year of freedom, by God's "blessing restored, 1648." Such a motion would naturally introduce Cromwell's speech respecting the deposition of the king, and the disherison of his posterity.

[69] Nalson, Trial of Charles I. Clarendon papers, ii. App. li.

CHAP. V.

Before this the king, in anticipation of his subsequent trial, had been removed to the palace of St. James's. In the third week of his confinement in Hurst castle, he was suddenly roused out of his sleep at midnight by the fall of the drawbridge and the trampling of horses. A thousand frightful ideas rushed on his mind, and at an early hour in the morning, he dispatched his servant Herbert to ascertain the the cause; but every mouth was closed, and Herbert returned with the scanty information that a colonel Harrison had arrived. At the name the king turned pale, hastened into the closet, and sought to relieve his terrors by private devotion. In a letter which he had received at Newport, Harrison had been pointed out to him as a man engaged to take his life. His alarm, however, was unfounded. Harrison was a fanatic, but no murderer: he sought, indeed, the blood of the king, but it was his wish that it should be shed by the axe of the executioner, not by the dagger of the assassin. He had been appointed to superintend the removal of the royal captive, and had come to arrange matters with the governor, of whose fidelity some suspicion existed. Keeping himself private during the day, he departed in the night; and two days later Charles was conducted with a numerous escort to the royal palace of Windsor.[70]

King removed from Hurst castle. Dec. 18.

Dec. 23.

[70] Herbert, 131—136. Rushworth, vii. 1375.

CHAP. V.

Few persons interest themselves in his favour. Dec. 27.

Hitherto, notwithstanding his confinement, the king had always been served with the usual state; but at Windsor his meat was brought to table uncovered, and by the hands of the soldiers: no say was given; no cup presented on the knee. This absence of ceremony made on the unfortunate monarch a deeper impression than could have been expected. It was, he said, the denial of that to him, which by ancient custom was due to many of his subjects; and rather than submit to the humiliation, he chose to diminish the number of the dishes, and to take his meals in private. Of the proceedings against him he received no official intelligence; but he gleaned the chief particulars through the inquiries of Herbert, and in casual conversation with Witchcott the governor. The information was sufficient to appal the stoutest heart; but Charles was of a most sanguine temperament, and though he sought to fortify his mind against the worst, he still cherished a hope that these menacing preparations were only intended to extort from him the resignation of his crown. He relied on the interposition of the Scots, the intercession of foreign powers, and the attachment of many of his English subjects. He persuaded himself that his very enemies would blush to shed the blood of their sovereign; and that their revenge would be appeased, and their ambition sufficiently gratified,

by the substitution in his place of one of his younger children on the throne.[71]

But these were the dreams of a man who sought to allay his fears by voluntary delusions. The princes of Europe looked with cold indifference on his fate. The king of Spain during the whole contest had maintained a friendly correspondence with the parliament. Frederic III. king of Denmark, though he was his cousin-german, made no effort to save his life; and Henrietta could obtain for him no interposition from France, where the infant king had been driven from his capital by civil dissension, and she herself depended for subsistence on the charity of the Cardinal de Retz, the leader of the Fronde.[72] The Scottish parliament, indeed, made a feeble effort in his favour. The commissioners subscribed a protest against the proceedings of the commons, by whom it was never answered; and argued the case with Cromwell, who referred them to the covenant, and maintained, that if it was their duty to punish the malignants in general, it was still more so to punish him who was the chief of the malignants.[73]

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[71] Herbert, 155. 157. Whitelock, 365. Sir John Temple attributed his tranquillity "to a strange conceit of Ormond's working "for him in Ireland. He still hangs upon that twigg; and by the "enquireys he made after his and Inchiquin's conjunction, I see "he will not be beaten off it." In Leicester's Journal, 48.

[72] Memoirs of Retz, i. 261.

[73] Journals, Jan. 6. 22, 23. Cobbet, iii. 1277. Burnet's own Times, i. 42.

CHAP. V.

Proceedings at the trial. Dec. 19.

As the day of trial approached, Charles resigned the hopes which he had hitherto indulged: and his removal to Whitehall admonished him to prepare for that important scene on which he was soon to appear. Without information or advice, he could only resolve to maintain the port and dignity of a king, to refuse the authority of his judges, and to commit no act unworthy of his exalted rank and that of his ancestors. On the 20th of January 1649. Jan 20. the commissioners appointed by the act assembled in the painted chamber, and proceeded in state to the upper end of Westminster hall. A chair of crimson velvet had been placed for the lord president, John Bradshaw, serjeant at law: the others, to the number of sixty-six, ranged themselves on either side, on benches covered with scarlet; at the feet of the president sat two clerks at a table, on which lay the sword and the mace; and directly opposite stood a chair intended for the king. After the preliminary formalities of reading the commission, and calling over the members, Bradshaw ordered the prisoner to be introduced.[74]

[74] The commisioners according to the act (for bills passed by the commons alone were now denominated acts), were in number 133, chosen out of the lower house, the inns of court, the city and the army. In one of their first meetings they chose Bradshaw for their president. He was a native of Cheshire, bred to the bar, and long practised in the guildhall, and two terms before had been serjeant. In the first list of commissioners his name did not occur: but on the rejection of the ordinance by the upper house, the names of six lords were erased,

CHAP. V.

Behaviour of the king.

Charles was received at the door by the serjeant at arms, and conducted by him within the bar. His step was firm, his countenance erect and unmoved. He did not uncover; but first seated himself, then arose, and surveyed the court with an air of superiority, which abashed and irritated his enemies. While the clerk read the charge, he appeared to listen with indifference: but a smile of contempt was seen to quiver on his lips at the passage which described him as a "tyrant, traitor, murderer, "and public and implacable enemy to the com- "monwealth of England." At the conclusion Bradshaw called on him to answer: but he demanded by what lawful authority he had been brought thither. He was king of England, and acknowledged no superior upon earth: the crown, which he had received from his ancestors, he would transmit unimpaired by any act of his, to his posterity. His case was the case of all the people of England: for if force without law could alter the fundamental laws of the kingdom, there was no man who could be secure of his life or liberty for an hour. He was told that the court sat by the authority of the house of commons. But where, he asked, were the lords? Were the commons the whole

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and his name with those of five others was substituted. He obtained for the reward of his services the estate of lord Cottington, the chancellorship of the dutchy of Lancaster, and the office of president of the council.

CHAP. V.

legislature? Were they free? Were they a court of judicature? Could they confer on others a jurisdiction which they did not possess themselves? He would never acknowledge an unsurped authority. It was a duty imposed upon him by the Almighty to disown every lawless power, that invaded either the rights of the crown or the liberties of the subject. Such was the substance of his discourse delivered on three different days, and amidst innumerable interruptions from the president, who would not suffer the jurisdiction of the court to be questioned, and at last ordered the "default and contempt of the prisoner" to be recorded.

He proposes a private conference. Jan. 27.

The two following days the court sat in private, to receive evidence that the king had commanded in several engagements, and to deliberate on the form of judgment to be pronounced. On the third Bradshaw took his seat, dressed in scarlet; and Charles immediately demanded to be heard. He did not mean, he said, on this occasion either to acknowledge or deny the authority of the court: his object was to ask a favour, which would spare them the commission of a great crime, and restore the blessing of tranquillity to his people. He asked permission to confer with a joint committee of the lords and commons. The president replied that the proposal was not altogether new, though it was now made

CHAP. V.

for the first time by the king himself: that it pre-supposed the existence of an authority co-ordinate with that of the commons, which could not be admitted: that its object could only be to delay the proceedings of the court, now that judgment was to be pronounced. Here he was interrupted by the earnest expostulation of colonel Downes, one of the members. The king was immediately removed; the commissioners adjourned into a neighbouring apartment, and almost an hour was spent in private and animated debate. Had the conference been granted, Charles would have proposed (so at least it was understood) to resign the crown in favour of the prince of Wales.

Is condemned.

When the court resumed, Bradshaw announced to him the refusal of his request, and proceeded to animadvert in harsh and unfeeling language on the principal events of his reign. The meek spirit of the prisoner was roused: he made an attempt to speak, but he was immediately silenced with the remark, that the time for his defence was past; that he had spurned the numerous opportunities offered him by the indulgence of the court; and that nothing remained for his judges but to pronounce sentence; for they had learned from holy writ that "to acquit the guilty was of equal abomination as to condemn the innocent." The charge was again read, and was followed by the judgement, "that the court being satis-

CHAP. V.

" fied in conscience that he, the said Charles " Stuart, was guilty of the crimes of which he " had been accused, did adjudge him as a ty- " rant, traitor, murderer, and public enemy to " the good people of the nation, to be put to " death by the severing his head from his body." The king heard it in silence, sometimes smiling with contempt, sometimes raising his eyes to heaven, as if he appealed from the malice of men to the justice of the Almighty. At the conclusion the commissioners rose in a body to testify their assent, and Charles made a last and more earnest effort to speak; but Bradshaw ordered him to be removed, and the guards hurried him out of the hall.[75]

Lady Fairfax.

During this trial a strong military force had been kept under arms to suppress any demonstration of popular feeling in favour of the king. On the first day, when the name of Fairfax, as one of the commissioners was called, a female voice cried from the gallery, " he has more wit " than to be here." On another occasion, when Bradshaw attributed the charge against the king to the consentient voice of the people of England, the same female voice exclaimed, " no, not one-tenth of the people." A faint murmur of approbation followed, but was instantly suppressed by the military. The speaker was recognised to be lady Fair-

[75] See the trial of Charles Stuart, with additions by Nalson, folio. London, 1735.

fax, the wife of the commander-in-chief; and these affronts, probably on that account, were suffered to pass unnoticed.[76]

When Coke, the solicitor general, opened the pleadings, the king gently tapped him on the shoulder with his cane, crying, "hold "hold." At the same moment the silver head of the cane fell off, and rolled on the floor. It was an accident which might have happened at any time; but in this superstitious age it could not fail to be taken for an omen. Both his friends and enemies interpreted it as a presage of his approaching decapitation.[77]

On one day, as the king entered the court, he heard behind him the cry of "justice, jus- "tice;" on another, as he passed between two lines of soldiers, the word "execution" was repeatedly sounded in his ears. He bore these affronts with patience, and on his return said to Herbert, "I am well assured that the sol- "diers bear me no malice. The cry was sug- "gested by their officers, for whom they "would do the like, if there were occasion."[78]

On his return from the hall, men and women crowded behind the guards, and called aloud,

[76] Nalson's Trial. Clarendon, iii. 254. State Trials, 366, 367, 368. fol. 1730.

[77] Nalson. Herbert, 165. "He seemed unconcerned; yet told "the bishop, it really made a great impression on him; and to this "hour, says he, I know not possibly how it should come." Warwick, 340.

[78] Herbert, 163, 164.

CHAP. V.

"God preserve your majesty." But one of the soldiers venturing to say, "God bless you "Sir," received a stroke on the head from an officer with his cane. "Truly," observed the king, "I think the punishment exceeded the "offence."[79]

King prepares for death.

By his conduct during these proceedings Charles had exalted his character even in the estimation of his enemies: he had now to prepare himself for a still more trying scene, to nerve his mind against the terrors of a public and ignominious death. But he was no longer the man he had been before the civil war. Affliction had chastened his mind: he had learned from experience to submit to the visitations of Providence: and he sought and found strength and relief in the consolations of religion. The next day, the Sunday, was spent by him at St. James's, by the commissioners at Whitehall. *They* observed a fast, preached on the judgments of God, and prayed for a blessing on the commonwealth. He devoted his time to devotional exercises in the company of Herbert and of Dr. Juxon, bishop of London, who at the request of Hugh Peters, (and it should be recorded to the honour of that fanatical preacher) had been permitted to attend the monarch. His nephew the prince elector, the duke of Richmond, the

Jan. 28.

[79] Herbert, 163, 165.

CHAP. V.

marquess of Hertford, and several other noblemen, came to the door of his bed-chamber, to pay their last respects to their sovereign: but they were told in his name that he thanked them for their attachment, and desired their prayers: that the shortness of his time admonished him to think of another world; and that the only moments which he could spare, must be given to his children. These were two, the princess Elizabeth and the duke of York; the former wept for her father's fate; the latter, too young to understand the cause, joined his tears through sympathy. Charles placed them on his knees, gave them such advice as was adapted to their years, and seemed to derive pleasure from the pertinency of their answers. In conclusion he divided a few jewels between them, kissed them, gave them his blessing, and hastily retired to his devotions.[80]

On the last night of his life he slept soundly about four hours: and early in the morning awakened Herbert, who lay on a pallet by his bed-side. "This," he said, "is my second "marriage day. I would be as trim as may "be; for before night I hope to be espoused to "my blessed Jesus." He then pointed out the clothes which he meant to wear, and ordered two shirts on account of the severity of

Jan. 30.

[80] Herbert, 169—180. State Trials, 357—360.

CHAP. V.

the weather. "For," he observed, "were I "to shake through cold, my enemies would "attribute it to fear. I would have no such "imputation. I fear not death. Death is not "terrible to me. I bless my God I am pre- "pared."[81]

The king spent an hour in privacy with the bishop: Herbert was afterwards admitted; and about ten o'clock colonel Hacker announced that it was time to proceed to Whitehall. He obeyed, was conducted on foot, between two detachments of military, across the park, and received permission to repose himself in his former bed-chamber. Dinner had been prepared for him: but he refused to eat, though afterwards at the solicitation of the bishop, he took the half of a manchet and a glass of wine. Here he remained almost two hours in constant expectation of the last summons, spending his time partly in prayer, and

[81] Herbert, 183—185. I may here insert an anecdote, which seems to prove that Charles attributed his misfortunes in a great measure to the counsels of archbishop Laud. On the last night of his life, he had observed that Herbert was restless during his sleep, and in the morning insisted on knowing the cause. Herbert answered that he was dreaming. He saw Laud enter the room: the king took him aside, and spoke to him with a pensive countenance; the archbishop sighed, retired, and fell prostrate on the ground. Charles replied, "it is very remarkable: but he is dead. Yet had "we conferred together during life, 'tis very likely (albeit I loved "him well) I should have said something to him, might have occa- "sioned his sigh." Herbert's letter to Dr. Samways, published at the end of his memoirs, p. 220.

partly in discourse with Dr. Juxon. There might have been nothing mysterious in the delay: if there was, it may perhaps be explained from the following circumstances.

Letter from the prince.

Four days had now elapsed since the arrival of ambassadors from the Hague to intercede in his favour. It was only on the preceding evening that they had obtained audiences of the two houses, and hitherto no answer had been returned. In their company, came Seymour, the bearer of two letters from the prince of Wales, one addressed to the king, the other to the lord Fairfax. He had already delivered the letter, and with it a sheet of blank paper subscribed with the name and sealed with the arms of the prince. It was the price which he offered to the grandees of the army for the life of his father. Let them fill it up with the conditions: whatever they might be, they were already granted; his seal and signature were affixed.[82] It is not improbable that this offer may have induced the leaders to pause. That Fairfax laboured to postpone the execution, was always asserted by his friends: and we have evidence to prove that though he was at Whitehall, he knew not, or at least pretended not to know, what was passing.[83]

[82] For the arrival of the ambassadors see the journals of the house of commons on the 26th. A fac-simile of the carte blanche, with the signature of the prince, graces the title-page of the third volume of the Original Letters, published by Mr. Ellis.

[83] "Mean time they went into the long gallery, where chancing

CHAP. V.

The king is beheaded.

In the meanwhile Charles enjoyed the consolation of learning that his son had not forgotten him in his distress. By the indulgence of colonel Tomlinson, Seymour was admitted, delivered the letter, and received the royal instructions for the prince. He was hardly gone, when Hacker arrived with the fatal summons. The king proceeded through the long gallery, lined on each side with soldiers, who, far from insulting the fallen monarch, appeared by their sorrowful looks to sympathise with his fate. At the end an aperture had been made in the wall, through which he stepped at once upon the scaffold. It was hung with black: at the further end were seen the two executioners, the block, and the axe: below appeared in arms several regiments of horse and foot: and beyond, as far as the eye was permitted to reach, waved a dense and countless crowd of spectators. The king stood collected and undismayed amidst the apparatus of death.

"to meet the general, he ask'd Mr. Herbert how the king did? "Which he thought strange....His question being answer'd, the "general seem'd much surprized." Herbert, 194. It is difficult to believe that Herbert could have mistaken or fabricated such a question, or that Fairfax would have asked it, had he known what had taken place. To his assertion that Fairfax was with the officers in Harrison's room, employed in "prayer or discourse," it has been objected that his name does not occur among the names of those who were proved to have been there at the trial of the regicides. But this is no contradiction. The witnesses speak of what happened before, Herbert of what happened during, the execution.

There was in his countenance that cheerful intrepidity, in his demeanour that dignified calmness, which had characterised in the hall of Fotheringay, his royal grandmother, Mary Stuart. It was his wish to address the people: but they were kept beyond the reach of his voice by the swords of the military; and therefore confining his discourse to the few persons standing with him on the scaffold, he took, he said, the opportunity of denying in the presence of his God, the crimes of which he had been accused. It was not to him, but to the houses of parliament, that the war and all its evils should be charged. The parliament had first invaded the rights of the crown by claiming the command of the army: it had provoked hostilities by issuing commissions for the levy of forces, before he had raised a single man. But he had forgiven all, even those whoever they were, (for he did not desire to know their names,) who had brought him to his death. He did more than forgive them, he prayed that they might repent. But for that purpose they must do three things: they must render to God his due, by settling the church according to the scripture: they must restore to the crown those rights which belonged to it by law; and they must teach the people the distinction between the sovereign and the subject; those persons could not be governors who were to be

CHAP. V.

governed, *they* could not rule, whose duty it was to obey. Then, in allusion to the offers formerly made to him by the army, he concluded with these words: "Sirs, it was for "the liberties of the people that I am come "here. If I would have assented to an arbi- "trary sway, to have all things changed ac- "cording to the power of the sword, I needed "not to have come hither: and therefore I tell "you, (and I pray God it be not laid to your "charge,) that I am the martyr of the people."

Having added, at the suggestion of Dr. Juxon, "I die a christian according to the "profession of the church of England, as I "found it left me by my father," he said, addressing himself to the prelate, "I have on "my side a good cause, and a gracious God."

Bishop.—There is but one stage more: it is turbulent and troublesome, but a short one. It will carry you from earth to heaven, and there you will find joy and comfort.

King.—I go from a corruptible to an incorruptible crown.

Bishop.—You exchange an earthly for an eternal crown—a good exchange.

Being ready, he bent his neck on the block, and after a short pause, stretched out his hands as a signal. At that instant the axe descended; the head rolled from the body: and a deep groan burst from the multitude of the specta-

tors. But they had no leisure to testify their feeling; two troops of horse dispersed them in different directions.[84]

Such was the end of the unfortunate Charles Stuart, an awful lesson to the possessors of

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[84] Herbert, 189—194. Warwick, 344. Nalson, Trial of Charles Stuart. The royal corpse, having been embalmed, was after some days delivered to the earl of Richmond for private interment at Windsor. That nobleman, accompanied by the marquess of Hertford, the earls of Southampton and Lindsey, Dr. Juxon, and a few of the king's attendants, deposited it in a vault in the choir of St. George's chapel, which already contained the remains of Henry VIII. and his third queen Jane Seymour. (Herbert, 203. Blencowe, Sydney papers, 64.) Notwithstanding such authority, the assertion of Clarendon that the place could not be discovered, threw some doubt upon the subject. But in 1813, it chanced that the workmen made an aperture in a vault corresponding in situation, and occupied by three coffins; and his present majesty, then prince Regent, ordered an investigation to ascertain the truth. One of the coffins, in conformity with the account of Herbert, was of lead, with a leaden scroll in which were cut the words "King Charles." In the upper lid of this an opening was made; and when the cere cloth and unctuous matter were removed, the features of the face, as far as they could be distinguished, bore a strong resemblance to the portraits of Charles I. To complete the proof, the head was found to have been separated from the trunk by some sharp instrument, which had cut through the fourth vertebra of the neck. See "An account "of what appeared on opening the coffin of king Charles I. by sir "Henry Halford, bart." 1813—It was observed at the same time, that "the lead coffin of Henry VIII. had been beaten in about the "middle, and a considerable opening in that part exposed a mere "skeleton of the king." This may, perhaps, be accounted for from a passage in Herbert, who tells us that while the workmen were employed about the inscription, the chapel was cleared, but a soldier contrived to conceal himself, descended into the vault, cut off some of the velvet pall, and "wimbled a hole into the largest coffin." He was caught, and "a bone was found about him, which, he said, he "would haft a knife with." Herbert, 204. See note (D.)

CHAP. V.

royalty, to watch the growth of public opinion, and to moderate their pretensions in conformity with the reasonable desires of their subjects. Had he lived at a more early period, when the sense of wrong was quickly subdued by the habit of submission, his reign would probably have been marked by fewer violations of the national liberties. It was resistance that made him a tyrant. The spirit of the people refused to yield to the encroachments of authority: and one act of oppression placed him under the necessity of committing another, till he had revived and enforced all those odious prerogatives, which, though usually claimed, were but sparingly exercised, by his predecessors. For some years his efforts seemed successful: but the Scottish insurrection revealed the delusion; he had parted with the real authority of a king, when he forfeited the confidence and affection of his subjects.

But while we blame the illegal measures of Charles, we ought not to screen from censure the subsequent conduct of his principal opponents. From the moment that war seemed inevitable, they acted, as if they thought themselves absolved from all obligations of honour and honesty. They never ceased to inflame the passions of the people by misrepresentation and calumny: they exercised a power far more arbitrary and formidable, than had ever been claimed by the king; they punished sum-

marily, on mere suspicion, and without attention to the forms of law; and by their committees they established in every county a knot of petty tyrants, who disposed at will of the liberty and property of the inhabitants. Such anomalies may perhaps be inseparable from the jealousies, the resentments and the heart-burnings, which are engendered in civil commotions; but certain it is that right and justice had seldom been more wantonly outraged, than they were by those, who professed to have drawn the sword in the defence of right and justice.

Neither should the death of Charles be attributed to the vengeance of the people. They for the most part, declared themselves satisfied with their victory: they sought not the blood of the captive monarch; they were even willing to replace him on the throne, under those limitations which they deemed necessary for the preservation of their rights. The men who hurried him to the scaffold, were a small faction of bold and ambitious spirits, who had the address to guide the passions and fanaticism of their followers, and were enabled through them to control the real sentiments of the nation. Even of the commissioners appointed to sit in judgment on the king, scarcely one-half could be induced to attend at his trial; and many of those who concurred in his condemnation, subscribed the sentence with feelings of

CHAP. V.

shame and remorse. But so it always happens in revolutions. The most violent put themselves forward; their viligance and activity seems to multiply their number, and the daring of the few wins the ascendency over the indolence or the pusillanimity of the many.

NOTE [A,] Pages 156 and 178.

The reader will perhaps be surprised that I have not alluded to the immense multitude of English protestants said to have been massacred at the breaking out of the rebellion. I am perfectly aware that Clarendon speaks "of forty or fifty thousand "murdered before they suspected themselves to be in any danger, "or could provide for their own defence by drawing together in "towns or strong houses:" (Clarendon, i. 299. See also his History of the Irish Rebellion,) that a nameless writer, copied by Nalson, says, that the insurgents "within a few days mur- "dered an incredible number of protestants, men, women, and "children indiscriminately" (Nalson, ii. 591); that May asserts, that "the persons of above 200,000 men, women, and "children, were murdered, many of them with exquisite and "unheard-of tortures within the space of one month," (May, 81), and that the same has been repeated by writers without number. But such assertions appear to me rhetorical flourishes, rather than historical statements. They are not founded on authentic documents. They lead the reader to suppose, that the rebels had formed a plan to surprise and murder all the protestant inhabitants: whereas the fact was, that they sought to recover the lands which in the last and the present reign had been taken from them and given to the English planters. They warned the intruders to be gone; they expelled them from the plantations; they seized their goods, and burnt their houses. That in the

prosecution of this object many lives would be lost on both sides is evident. As early as October 27, colonel Crawford killed 300 Irish with his cavalry without the loss of a man, and on the 28th colonel Matthews slaughtered above 150 more, "starting them "like hares out of the bushes:" (Carte, i. 186), and on the other hand, many insulated acts of murder by the rebels, prompted chiefly by the revenge of individuals, occurred. But that no premeditated design of a general massacre existed, and that no such massacre was made, is evident from the official dispatches of the lords justices during the months of October, November, and December.

1°. We have their dispatches of October the 25th, with the accompanying documents (Lords' Journals, iv. 412. Nalson, ii. 514—523): but in these there is no mention of any one murder. After detailing the rising and plundering by the insurgents, they add, "this, though too much, is all that we yet hear is done by "them." Journals, ibid. Nalson, ii. 516.

2°. In a letter to the privy council, of November 15, they thus describe the conduct of the rebels: "They have seized the "houses and estates of almost all the English in the counties of "Monoghan, Cavan, Fermanagh, Armagh, Tirone, Donegall, "Letrim, Longford, and a great part of the county of Downe, "some of which are houses of good strength, and dispossessed "the English of their arms, and some of the English gentlemen "whose houses they seized (even without any resistance in re-"gard of the suddenness of their surprise), the rebels most barba-"rously, not only murdered, but, as we are informed, hewed "some of them to pieces. They surprised the greatest part of a "horse troop of his majesties army, commanded by the lord "Grandison, in the county of Armagh, and possessed them-"selves of their arms. They apprehended the lord Caulfield "and sir Edward Trevor, a member of this board, and sir "Charles Pointes, and Mr. Branthwait, agent to the earl of "Essex, and a great number of other gentlemen of good quality

" of the English in several parts, whom they still keep prisoners;
" as also the lord Blayney's lady and children, and divers other
" ladies and gentlewomen. They have wasted, destroyed, and
" spoyled wheresoever they came, and now their fury begins to
" threaten the English plantations in the Queen's county and
" King's county, and, by their example, the sheriff of the county
" of Longford, a native and papist, is likewise risen in arms, and
" followed by the Irish there, where they rob, spoyl, and destroy
" the English with great cruelty.

" In these their assaults of the English, they have slain many,
" robbed and spoyled thousands, reduced men of good estates in
" lands, who lived plentifully and well, to such a condition as
" they left them not so much as a shirt to cover their nakedness.
" They turned out of their estates many of considerable fortunes
" in goods, and left them in great want and misery, and even
" the Irish servants and tenants of the English, who lived under
" them, rise against them with great malignity, and joyn with
" the rebels. They defaced the chargeable buildings and profit-
" able improvements of the English, to their uttermost power.
" They threaten all the English to be gone by a time, or they
" will destroy them utterly; and indeed they give out publickly,
" that their purpose is totally to extirp the English and pro-
" testants, and not to lay down arms until by act of parliament
" here, the Romish religion be established, and that the govern-
" ment be settled in the hands of natives, and all the old Irish
" restored to the lands of their supposed ancestors." Nalson, p. 889.

3°. In another of the same date, to be read in the house of commons, they express themselves thus, " By killing and de-
" stroying so many English and protestants in several parts, by
" robbing and spoyling of them, and many thousands more of
" his majesties good subjects, by seizing so many castles, houses,
" and places of strength, in several parts of the kingdom, by
" threatning the English to depart, or otherwise they will destroy

" them utterly; and all their wickedness acted against the " English and protestants with so much inhumanity and cruelty, " as cannot be imagined to come from christians, even towards " infidels." Ibid. p. 893.

4°. In the fourth, of November 25, they describe the progress of the rebellion. " In both counties, as well Wickloe as Wex- " ford, all the castles and houses of the English, with all their " substance, are come into the hands of the rebels, and the " English, with their wives and children strip'd naked, and ba- " nished thence by their fury and rage. The rebels in the " county of Longford do still increase also, as well in their num- " bers, as in their violence. The Ulster rebels are grown so " strong, as they have sufficient men to leave behind them in the " places they have gotten northward, and to lay siege to some " not yet taken.....They have already taken Mellifont, the " lord Moor's house, though with the loss of about 120 men of " theirs, and there (in cold blood) they murdered ten of those " that manfully defended that place.....In the county of Meath " also....the rebels rob and spoil the English protestants till " within six miles of Dublin." Ibid. 900, 901.

5°. We have a fifth dispatch, of November 27th, " The dis- " turbances are now grown so general, that in most places, and " even round about this city within four miles of us, not only " the open rebels of mere Irish, but the natives men, women, " and children, joyn together and fall on the neighbours that are " English or protestants, and rob and spoil them of all they have, " nor can we help it." Nalson, 902.

6°. I shall add a sixth, of December 14th, " They continue " their rage and malignity against the English and protestants, " who if they leave their goods or cattel for more safety with " any papists, those are called out by the rebels, and the papists " goods or cattel left behind; and now upon some new councils " taken by them, they have added to their former a farther degree " of cruelty, even of the highest nature, which is to proclaim,

" that if any Irish shall harbour or relieve any English, that be " suffered to escape them with his life, that it shall be penal " even to death to such Irish; and so they will be sure though " they put not those English actually to the sword, yet they do " as certainly and with more cruelty cut them off that way, than " if they had done it by the sword; and they profess they will " never give over until they leave not any seed of an Englishman " in Ireland." Ibid. 911. They then add an account of a castle in the town of Longford having surrendered on a promise of quarter, when a priest killed the minister, and others killed some of the captives and hanged the rest. Ibid. 913. " The " rebels of the county of Kildare have taken the Naas and Kil- " dare in the county of Kildare. The rebels of Meath have " taken Trim and Ashboy in the county of Meath, and divers " other places. The rebels of the county of Dublin have pos- " sessed Swoords and Rathcoole, and spoyled all the English " and protestants even to the gates of Dublin." Nalson, 914.

If we consider the language of these dispatches, and at the same time recollect who were the writers, and what an interest they had to exaggerate the excesses of the insurgents, we must, I think, conclude that hitherto no general massacre had been made or attempted.

On the 23d of December the same lords justices granted a commission to Henry Jones, dean of Kilmore, and seven other clergymen, in these words: " Know ye that we....do hereby " give unto you....full power and authority....to call before " you, and examine upon oath on the holy Evangelists....as " well all such persons as have been robbed and despoiled, as all " the witnesses, that can give testimony therein what robberies " and spoils have been committed on them since the 22d of " October last, or shall hereafter be committed on them or any " of them: what the particulars were, or are, whereof they were " or shall be so robbed or spoiled; to what value, by whom,

" what their names are, or where they now or last dwelt that " committed these robberies. On what day or night the said " robberies or spoils committed or to be committed, were done; " what traitorous or disloyal words, speeches, or actions, were " then or at any other time uttered or committed by those robbers " or any of them, and how often · and all other circumstances " concerning the said particulars, and every of them. And you, " our said commissioners, are to reduce to writing all the exami- " nations, &c. and the same to return to our justices and council " of this our realm of Ireland." Temple, Irish Reb. p. 137.

Let the reader consider the purport of this commission, and he will certainly think it strange that, if a general massacre of the protestants had taken place, if 200,000, as May says, or even the smaller number of 40 or 50,000, had been murdered, the lords justices should have omitted to mention so bloody a transaction. However, on the 18th of January, 1643, they issued another commission to the same persons, with this additional instruction, to inquire " what lands had been seized, and what " murders committed by the rebels; what numbers of British " protestants had perished in the way to Dublin, or any other " place whither they fled, and how many had turned papists " since the 22d of October." Warner, 161. 294. Here murders are indeed mentioned, but in such a manner as to prove that the justices were still ignorant of any general or even extensive massacre.

The commissioners accordingly took depositions from March 24th till October, 1644, and the examinations fill thirty-two large volumes folio, deposited in the college library at Dublin. Warner, after a diligent inspection, observes that " in infinitely " the greatest number of them, the words *being duly sworn*, " have the pen drawn through them, with the same ink with " which the examinations were written; and in several of those " where such words remain, many parts of the examinations are " crossed out. This is a circumstance which shews, that the bulk

" of this immense collection is parole evidence, and upon report " of common fame." Ibid. 295.

Out of these examinations, therefore, the commissioners collected those which had been made upon oath, and consigned them to another book, attesting with their signatures that the copies were correct. " From these then it appears that the whole " number of persons killed by the rebels *out of war*, not at the " beginning only, but in the course of the two first years of the " rebellion, amounted altogether to 2109: on the report of other " protestants, 1619 more, and on the report of some of the rebels " themselves, a further number of 300; the whole making 4028. " Besides these murders, there is in the same collection, evidence, " on the report of others, of 8000 killed by ill usage: and if we " allow that the cruelties of the Irish out of war extended to " these numbers (which, considering the nature of several of the " depositions, I think in my conscience we cannot), yet, to be " impartial, we must allow, that there is no pretence for laying a " greater number to their charge." Warner, 297.

I shall not lengthen this note by narrating the recriminations of the Irish. That they suffered as much as they inflicted cannot be doubted. But the blame of such barbarities should not rest solely with the perpetrators on either side: it ought to be shared by those who originally sowed the seeds of these calamities by civil oppression and religious persecution.

NOTE [B,] Pages 321 and 322.

Nothing more clearly shews the readiness of Charles to engage in intrigue, and the subtleties and falsehood to which he could occasionally descend, than the history of Glamorgan's mission to Ireland. In this note I purpose to lay before the reader the substance of the several documents relating to the transaction.

On the 1st of April, 1644, the king gave to him, by the name of Edward Somerset alias Plantagenet, lord Herbert, baron

Beaufort, &c. a commission under the great seal, appointing him commander-in-chief of three armies of Englishmen, Irishmen, and foreigners, authorizing him to raise monies on the securities of the royal wardships, customs, woods, &c. furnishing him with patents of nobility from the title of marquess to that of baronet, to be filled up with names at his discretion, promising to give the princess Elizabeth to his son Plantagenet in marriage with a dower of £300,000, a sum which did not much exceed what Herbert and his father had already spent in the king's service, and in addition to Herbert himself the title of duke of Somerset, with the George and blue ribbon. From the Nuncio's Memoirs in Birch's Inquiry, p. 22.

This commission was granted in consequence of an understanding with the deputies from the confederate catholics, who were then at Oxford, and its object is fully explained by Herbert himself in a letter to Clarendon, to be laid before Charles II. and dated June 11, 1660. "For his majesty's better information, through "your favour, and by the channel of your lordship's understand- "ing things rightly, give me leave to acquaint you with one chief "key, wherewith to open the secret passages between his late "majesty and myself in order to his service; which was no "other than a real exposing of myself to any expense or "difficulty, rather than his just design should not take place; "or, in taking effect, that his honour should suffer. An "effect, you may justly say, relishing more of a passionate and "blind affection to his majesty's service, than of discretion and "care of myself. This made me take a resolution that he should "have seemed angry with me at my return out of Ireland, until "I had brought him into a posture and power to own his "commands, to make good his instructions, and to reward my "faithfulness and zeal therein.

"Your lordship may well wonder, and the king too, at the am- "plitude of my commission. But when you have understood "the height of his majesty's design, you will soon be satisfied

" that nothing less could have made me capable to effect it; be-
" ing that one army of 10,000 men was to have come out of
" Ireland through North Wales; another of a like number, at
" least, under my command in chief, have expected my return
" in South Wales, which sir Henry Gage was to have command-
" ed as licutenant general; and a third should have consisted of
" a matter of 6000 men, 2000 of which were to have been
" Liegois, commanded by sir Francis Edmonds, 2000 Lorrainers,
" to have been commanded by colonel Browne, and 2000 of such
" French, English, Scots, and Irish, as could be drawn out of
" Flanders and Holland. And the 6000 were to have been, by
" the prince of Orange's assistance, in the associated counties;
" and the governor of Lyne, cousin german to major Bacon, major
" of my own regiment, was to have delivered the town unto them.

" The maintenance of this army of foreigners was to have come
" from the pope and such catholick princes as he should have drawn
" into it, having engaged to afford and procure £30,000 a month;
" out of which the foreign army was first to be provided for, and
" the remainder to be divided among the other armies. And for
" this purpose had I power to treat with the pope and catholic
" princes with particular advantages promised to catholicks for
" the quiet enjoying their religion, without the penalties which
" the statutes in force had power to inflict upon them. And
" my instructions for this purpose, and my powers to treat and
" conclude thereupon, were signed by the king under his pocket
" signet, with blanks for me to put in the names of pope or princes,
" to the end the king might have a starting-hole to deny the
" having given me such commissions, if excepted against by his
" own subjects; leaving me as it were at stake, who for his
" majesty's sake was willing to undergo it trusting to his word
" alone." Clarendon papers, ii. 201, 202.

But his departure was delayed by Ormond's objections to the conditions of peace; and the king, to relieve himself from the difficulty, proposed to Herbert to p[ro]ceed to Ireland, and grant

privately to the catholics those concessions which the lord lieutenant hesitated to make, on condition of receiving in return an army of 10,000 men for the royal service. In consequence, on the 27th of December, Charles announced to Ormond that Herbert was going to Ireland under an engagement to further the peace. Carte, ii. App. p. 5.

1645, January 2nd. Glamorgan (he was now honoured with the title of earl of Glamorgan) received these instructions. "First "you may ingage y^r estate, interest and creditt that we will "most really and punctually performe any our promises to the "Irish, and as it is necessary to conclude a peace suddainely, "soe whatsoever shall be consented unto by our lieutenant the "marquis of Ormond, We will dye a thousand deaths rather "than disannull or breake it; and if vpon necessity any thing be "to be condescended unto, and yet the lord marquis not willing "to be seene therein, as not fitt for us at the present publickely "to owne, doe you endeavour to supply the same." Century of Inventions by Mr. Partington, original letters and official papers, xxxv. Then follows a promise to perform any promise made by him to Ormond or others, &c.

January 6. He received a commission to levy any number of men in Ireland and other parts beyond the sea, with power to appoint officers, receive the king's rents, &c. Birch, p. 18, from the nuncio's memoirs, fol. 713.

January 12. He received another warrant of a most extraordinary description, which I shall transcribe from a MS. copy in my possession, attested by his signature, and probably the very same which he gave to Ormond after his arrest and imprisonment.

"Charles Rex

"Charles by the grace of God king of England Scotland "Fraunce and Ireland Defender of the Fayth, &c. To our "Right trusty and Right well beloved Cossin Edward Earle of

" Glamorgan greetinge. Whearas wee haue had sufficient and " ample testimony of y^r approued wisdome and fideliti Soe " great is the confidence we repose in yo^w as that whatsoeuer yo^w " shall perform as warranted only under our signe manuall " pocket signett or private marke or even by woorde of mouthe " w^thout further cerimonii, wee doo in the worde of a kinge and " a cristian promis to make good to all intents and purposes " as effectually as if your authoriti from us had binne under our " great seale of England w^th this advantage that wee shall esteem " our self farr the moore obliged to yo^w for y^r gallantry " in not standing upon such nice tearms to doe us ser- " vice w^h wee shall God willing rewarde. And althooghe yo^w " exceed what law can warrant or any power of ours reach unto, " as not knowinge what yo^w may haue need of, yet it being for " our service wee oblige our self not only to giue yo^w our pardon " but to mantayne the same w^th all our might and power, and " though either by accident yo^w loose or by any other occasion " yo^w shall deem necessary to deposit any of our warrants and so " wante them at yo^r returne, wee faythfully promise to make " them good at your returne, and to supply any thinge wheerin " they shall be found defective, it not being convenient for us at " this time to dispute upon them, for of what wee haue heer sett " downe yo^w may rest confident, if theer be fayth or truth in man; " proceed theerfor cheerfully, spedelj, and bouldly, and for yo^r " so doinge this shal be yo^r sufficient warrant. Giuen at our " Court at Oxford under our signe manuall and privat signet this " 12 of Januarj 1644

GLAMORGAN.

" To our Right trustj and Right well beloved
" cosin Edward Earle of Glamorgan."

Indorsed " The Earle of Glamorgan's further authoritj."

Feb, 12. Glamorgan had left Oxford, and was raising money

in Wales, when Charles sent him other dispatches, and with them a letter desiring him to hasten to Ireland. In it he acknowledges the danger of the undertaking, that Glamorgan had already spent above a million of crowns in his service, and that he was bound in gratitude to take care of him next to his own wife and children. "What I can further thinke at this pñt is to send y^w^ the blue "ribben, and a warrant for the title of duke of Somerset, both "w^ch^ accept and make vse of at your discretion, and if you should "deferre y^e^ publishing of either for a whyle to avoyde envye, "and my being importuned by others, yet I promise yo^r^ antiquitie "for y^e^ one and your pattent for the other shall bear date "with the warrants." Century of Inventions, p. xxxiv. On the 18th of August, 1660, the marquis of Hertford complained that this patent was injurious to him, as he claimed the title of Somerset. Glamorgan, then marquess of Worcester, readily surrendered it on the 3d of September, and his son was created duke of Beaufort.

On March 12, the king wrote to him the following letter.

"HERBERT,

"I wonder you are not yet gone for Ireland; but since you "have stayed all this time, I hope these will ouertake you, "whereby you will the more see the great trust and confidence "I repose in your integrity, of which I have had soe long and "so good experience: commanding yow to deale with all inge- "nuity and freedome with our lieutenant of Ireland the marquis "of Ormond, and on the word of a king and a christian I will "make good any thing which our lieutenant shall be induced "unto upon your persuasion: and if you find it fitting, you may "privately shew him these, which I intend not as obligatory to "him, but to myselfe, and for both your encouragements and "warrantise, in whom I repose my cheefest hopes, not having in "all my kingdomes two such subjects; whose endeauours join-

" ing, I am confident to be soone drawen out of the mire I am " now enforced to wallow in." Century of Inventions, xxxviii.

What were the writings meant by the word " these," which Glamorgan might shew to Ormond if he thought fitting? Probably the following warrant, dated at Oxford on the same day.

" Charles R

" Charles by the Grace of God King of England Scotland " France and Ireland Defender of the Fayth &c. To our right " trusty and right welbeloved Cosin Edward earle of Glamor- " gan Greeting. We reposing great and espitiall trust, and " confidence in y^r^ approved wisdome, and fidelity doe by these " (as firmely as under our great seale to all intents and purposes) " Authorise and give you power to treate and conclude w^th^ the " Confederat Romaine Catholikes in our Kingdom of Ireland, " if vpon necessity any thing be to be condescended vnto wherein " our Lieutenant can not so well be seene in as not fitt for vs at " the present publikely to owne, and therefore we charge you to " proceede according to this our warrant w^th^ all possible secresie, " and for whatsoever you shall engage your selfe, vpon such " valuable considerations as you in y^r^ iudgement shall deeme " fitt, we promise in the word of a King and a Christian to rati- " fie and performe the same, that shall be graunted by you, and " vnder your hand and seale, the sayd confederat Catholikes " having by theyr supplyes testified theyre zeale to our service, " and this shall be in eache particular to you a sufficient war- " rant Given at our Court at Oxford, vnder our signett and " Royall signature the twelfe day of Marche in the twentieth " yeare of our Raigne 1644

" To our Right Trusty and right welbeloved Cosin, Edward Earle of Glamorgan"

Some writers have attempted to dispute the authenticity of

this warrant, because though it was inserted verbatim in Glamorgan's treaty with the confederates, he did not produce it at the requisition of the council at Dublin, under the excuse that he had deposited it with the catholics at Kilkenny. But that this was the truth, appears from the nuncio's memoirs: "a sua "majestate mandatum habuit, cujus originale regiâ manu sub- "scriptum Glamorganiæ comes deposuit apud confœderatos ca- "tholicos." fol. 1292, apud Birch, 215: and if better authority be required, I have in my possession the original warrant itself, with the king's signature and private seal, bearing the arms of the three kingdoms, a crown above, and C. R. on the sides, and indorsed in the same hand writing with the body of the warrant, "The Earle of Glamorgan's espetiall warrant for Ireland." Of this original the above is a correct copy.

April 30. The king having heard that Rinuccini had been appointed nuncio, and was on his way to Ireland, sent to Glamorgan a letter for that prelate and another for the pope. The contents of the second are unknown; the first is copied in the nuncio's memoirs, "Nous ne doubtons point, que les choses "n'yront bien, et que les bonnes intentions commencés par effect "du dernier pape ne s'accomplisseront par celuys icy, et par "vos moyens, en notre royaume d'Irelande et de Angleterre." Birch, 28. He then requests the nuncio to join with Glamorgan, and promises to accomplish on the return of the latter, whatever they shall have resolved together. Ibid.

After the discovery of the whole proceeding, the king, on January 29th, 1646, sent a message to the two houses in England, in which he declares (with what truth the reader may judge) that Glamorgan had a commission to raise men, and "to "that purpose only:" that he had no commission to treat of any thing else without the privity and directions of Ormond: that he had never sent any information of his having made any treaty with the catholics, and that he (the king) disavowed him in his

proceedings, and had ordered the Irish council to proceed against him by due course of law. Charles's Works, 555.

Two days later, January 31, having acknowledged to the council at Dublin that he had informed Glamorgan of the secret instructions given to Ormond, and desired him to use his influence with the catholics to persuade them to moderate their demand, he proceeds, "To this end (and with the strictest limitations "that we could enjoin him, merely to those particulars concern- "ing which we had given you secret instructions, as also even "in that to do nothing but by your especial directions) it is pos- "sible we might have thought fit to have given unto the said "earl of Glamorgan such a credential as might give him credit "with the Roman catholics, in case you should find occasion to "make use of him, either as a farther assurance unto them of "what you should privately promise, or in case you should judge "it necessary to manage those matters for their greater confi- "dence apart by him, of whom, in regard of his religion and "interest, they might be less zealous. This is all, and the very "bottom of what we might have possibly entrusted unto the said "earl of Glamorgan in this affair." Carte's Ormond, iii. 446. How this declaration is to be reconciled with the last, I know not.

With this letter to the council he sent two others. One was addressed to Ormond, asserting on the word of a christian that he never intended Glamorgan to treat of any thing without Ormond's knowledge and approbation, as he was always diffident of the earl's judgment, but at the same time commanding him to suspend the execution of any sentence which might be pronounced against that nobleman. Carte, ii. App. p. 12. The second, dated Feb. 3, was to Glamorgan himself, in these words.

"GLAMORGAN,

"I must clearly tell you, both you and I have been abused in "this business; for you have been drawn to consent to conditions

" much beyond your instructions, and your treaty hath been " divulged to all the world. If you had advised with my lord " lieutenant, as you promised me, all this had been helped. But " we must look forward. Wherefore, in a word, I have com- " manded as much favour to be shewn to you as may possibly " stand with my service or safety : and if you will yet trust my " advice— which I have commanded Digby to give you freely— " I will bring you so off that you may still be useful to me, and " I shall be able to recompence you for your affection; if not, I " cannot tell what to say But I will not doubt your compliance " in this, since it so highly concerns the good of all my crowns, " my own particular, and to make me have still means to shew " myself

" Your most assured Friend,

" Charles R.

Oxford, Feb. 3, 1645-6." Warner, 360.

In this letter Charles did not express himself with freedom, probably because it was sent through Ormond and Digby. But on February 28th he dispatched sir J. Winter to Glamorgan, with full instructions, and this short epistle.

" Herbert,

" I am confident that this honest trusty bearer will give yon " good satisfaction why I have not in euerie thing done as you " desired, the wante of confidence in you being so farre from " being y^e^ cause thereof, that I am euery day more and more con- " firmed in the trust that I have of you, for beleeve me, it is not

" in the power of any to make you suffer in my opinion by ill " offices; but of this and diuers other things I have given so full " instructions that I will saye no more, but that I am

" Yor most assured constant Friend,

" Charles R."

Century of Inventions, xxxix.

April 5th he wrote to him again.

" Glamorgan,

" I have no time, nor do you expect that I shall make un- " necessary repetitions to you. Wherefore, referring you to " Digby for business, this is only to give you assurance of my " constant friendship to you: which, considering the general " defection of common honesty, is in a sort requisite. How- " beit, I know you cannot but be confident of my making good " all instructions and promises to you and the nuncio.

" Your most assured constant Friend,

" Charles R."

Warner, 373.

On the following day the king sent him another short letter.

" Herbert,

" As I doubt not but you have too much courage to be dismayed " or discouraged at the usage you have had, so I assure you that

" my estimation of you is nothing diminished by it, but rather " begets in me a desire of revenge and reparation to us both; for " in this I hold myself equally interested with you. Wherefore " not doubting of your accustomed care and industry in my ser- " vice, I assure you of the continuance of my favour and protec- " tion to you, and that in deeds more than words, I shall shew " myself to be

" Your most assured constant Friend,

" CHARLES R."

Warner, 374.

If after the perusal of these documents any doubt can remain of the authenticity of Glamorgan's commission, it must be done away by the following passage from Clarendon's correspondence with secretary Nicholas. Speaking of his intended history, he says, "I must tell you, I care not how little I say in that busi- " ness of Ireland, since those strange powers and instructions " given to your favourite Glamorgan, which appears to me so " inexcusable to justice, piety, and prudence. And I fear there " is very much in that transaction of Ireland, both before and " since, that you and I were never thought wise enough to be " advised with in. Oh, Mr. Secretary, those stratagems have " given me more sad hours than all the misfortunes in war which " have befallen the king, and look like the effects of God's anger " towards us." Clarendon papers, ii. 337.

NOTE [C], Page 341.

1°. The ordinances had distinguished two classes of delinquents, the one religious, the other political. The first comprised all catholic recusants, all persons whomsoever, who, having attained the age of twenty-one, should refuse to abjure upon oath the doctrines peculiar to the catholic creed. These were reputed papists, and had been made to forfeit two-thirds of their real and

personal estates, which were seized for the benefit of the kingdom by the commissioners of sequestration appointed in each particular county. The second comprehended all persons who were known to have fought against the parliament, or to have aided the royal party with money, men, provisions, advice or information: and of these the whole estates both real and personal, had been sequestrated, with the sole exception of one-fifth alloted for the support of the wife and children, if the latter were educated in the protestant religion. Elsynge's ordinances, 3. 22 et seq.

II°. These sequestrated estates not only furnished a yearly income, but also a ready supply on every sudden emergency. Thus when colonel Harvey refused to march till his regiment had received the arrears of its pay, amounting to £3000, an ordinance was immediately passed to raise the money by the sale of woods belonging to lord Petre, in the county of Essex. (Journals, vi. 519.) When a complaint was made of a scarcity of timber for the repairs of the navy, the two houses authorized certain shipwrights to fell 2500 oak trees on the estates of delinquents in Kent and Essex. (Ibid. 520.) When the Scots demanded a month's pay for their army, the committee at Goldsmiths' hall procured the money by offering for sale such property of delinquents as they judged expedient, the lands at eight, the houses at six years' purchase. Journals of Commons, June 10. 24. 1644.

III°. But the difficulty of procuring ready money by sales induced the commissioners to look out for some other expedient: and when the sum of £15,000 was wanted to put the army of Fairfax in motion, it was raised without delay by offering to delinquents the restoration of their sequestrated estates, on the immediate payment of a certain fine. (Commons' Journals, Sep. 13, 1644.) The success of this experiment encouraged them to hold out a similar indulgence to such persons as were willing to quit the royal party, provided they were not catholics, and would take the oath of abjuration of the catholic doctrine. (Ibid. Mar

6. Aug. 12. 1645. May 4. June 26. Sep. 3, 1646.) Afterwards, on the termination of the war, the great majority of the royalists were admitted to make their compositions with the committee. Of the fines required, the greater number amounted to one-tenth, many to one-sixth, and a few to one-third of the whole property, both real and personal of the delinquents. See the Journals of both houses for the years 1647. 1648.

NOTE [D], Page 459.

On the day after the king's execution appeared a work entitled ΓΙΚΩΝ ΒΑΣΙΛΙΚΗ, or the portraicture of his sacred majesty in his solitude and sufferings. It professed to be written by Charles himself, a faithful exposition of his own thoughts on the principal events of his reign, accompanied with such pious effusions as the recollection suggested to his mind. It was calculated to create a deep sensation in favour of the royal sufferer, and is said to have passed through fifty editions in the course of the first year. During the commonwealth, Milton made a feeble attempt to disprove the king's claim to the composition of the book: after the restoration, Dr. Gauden, a clergyman of Bocking, in Essex, came forward and declared himself the real author. But he advanced his pretensions with secresy, and received as the price of his silence, first the bishopric of Exeter, and afterwards, when he complained of the poverty of that see, the richer bishopric of Worcester.

After the death of Gauden his pretensions began to transpire, and became the subject of an interesting controversy between his friends and the admirers of Charles. But many documents have been published since, which were then unknown, particularly the letters of Gauden to the earl of Clarendon (Clarendon papers, iii. App. xxvi—xxxi. xcv.) and others from him to the earl of Bristol, (Maty's review, ii. 253. Clarendon papers, iii. App. xcvi. and Mr. Todd, Memoirs of bishop Walton, i. 138.) These have so

firmly established Gauden's claim, that whoever denies it, must be prepared to pronounce that prelate an impostor, to believe that the bishops Morley and Duppa gave false evidence in his favour, and to explain how it happened that those, the most interested to maintain the right of the king, namely, Charles II., his brother the duke of York, and the two earls of Clarendon and Bristol, gave in to the deception. These difficulties, however, have not appalled Dr. Wordsworth, who in a recent publication of more than four hundred pages, entitled, "Who wrote ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ?" has collected with patient industry every particle of evidence which can bear upon the subject: and after a most minute and laborious investigation, has concluded by adjudging the work to the king, and pronouncing the bishop an impudent impostor. Still my incredulity is not subdued. There is much in the ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ itself which forbids me to believe that Charles was the real author, though the latter, whoever he were, may have occasionally consulted and copied the royal papers; and the claim of Gauden appears too firmly established to be shaken by the imperfect and conjectural improbabilities which have hitherto been produced against it.

Additional Note to p. 61.

Since I wrote the note 78 of the first chapter, I have been favoured with the perusal of the declaration signed by Tresham, on the night of December 22nd, a few hours before he expired. In it he states, that on his private examination four persons were named to him as having been concerned with Winter in the treasonable messages sent to Spain in the time of the late queen; and he was ordered to denounce the others, unless he wished to meet with more severe treatment than he had hitherto experienced: that under the influence of this threat he was induced to name Walley (Garnet); but that now he sought to amend his deposition, and having been refused by Wade, the

lieutenant, had dictated this his declaration to his servant: "This "I do deliver here upon my salvacōn to be trew, as near as I "can call to mynde: desiring y^t my former confession may be "called in, and that this may stand for truthe. *It was more "than I knew* y^t *Mr. Walley was used herein,* and to give your "lordship a profe besides my oathe, I had not seen him in six-"teene yere before, nor never had messuadge nor letter from him."

Sir Edward Coke sent the declaration to Cecil, with the following remark, "This is the fruite of equivocation, (the booke "whereof was found in Tresham's desk) to affirm manifeste "falshoods uppon his salvation in *ipso articulo mortis.*" At the trial of Garnet, however, I think that both Cecil and Coke failed in the attempt to prove these falsehoods. They took the declaration of Tresham for a denial that Garnet knew of the Spanish treason, a design of invasion, (Gunpowder Treason, 219) which is certainly far more than the words of Tresham can be fairly supposed to mean. 1°. To prove that Tresham had seen Garnet within sixteen years, they produced several depositions of Mrs. Anne Vaux, that both had dined together at her house "three or four times since the king's coming in, and divers times "before." (Ibid. 221. 222.) This, however, cannot be considered as evidence that they had met before the time of the Spanish treason, to which alone the dying words of Tresham manifestly refer.

END OF VOL. X.

BRACKELL AND ARROWSMITH, JOHNSON'S COURT, FLEET-STREET.